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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Combined third and fourth periodic reports of States parties due in 2013

Islamic Republic of Iran*

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I. Introduction

1. The present report, prepared by the NBCRC of the Islamic Republic of Iran, intends to reflect, in some details, the activities undertaken by the Government to protect, respect and promote rights of the child. It specifically takes into account the obligations included in the Convention on the Rights of the Child and attempts to present, to the greatest extent possible, its contents according to the general guidelines regarding the form and content of the periodic reports to be submitted under Article 44(1)(b) of the said Convention. The report has also taken into consideration the final remarks of the esteemed Committee on the Rights of the Child regarding the second report of the Islamic Republic of Iran and offers replies based on the national laws and regulations as well as the responses received from domestic implementation bodies.

2. The laws of the Islamic Republic of Iran, driven from Islamic Sharia, within a comprehensive framework, address all the requirements of children, including their physical, mental and social needs, from their birth. Above of all, they contemplate measures to be taken in order that children to be raised in a hospitable environment where their rights are observed, their dignities are respected and their protection, security, emotions, safety and health are ensured. These are seen as necessary requirements for the development and personality completion of children.

3. The Islamic Republic of Iran has acceded to the Convention with reservations in 1991. It has, however, tried to implement the provisions of the Convention, to the extent possible, in their entirety. In this regard, the Board of Ministers (Cabinet) of the Islamic Republic of Iran appointed the Ministry of Justice as the National Body for the Convention on the Rights of the Child on 3rd January 2010. Considering the broadness of the subject as well as the variety and existence of different sectors that are active in and concerned with child-related areas, the NBCRC has made every efforts to supervise, organize and coordinate all issues relating to children in Iran. The NBCRC is administered on the basis of minimization principle, but in its activities it benefits from advice and cooperation of a majority of governmental and non-governmental bodies. In addition to advancing the children's rights in all the daily tasks of the relevant Ministries and governmental and non-governmental organizations in the national level and coordinating among them for avoiding duplication and preventing miss-outs, the NBCRC intends to establish local offices managed by the Provincial Governors to coordinate among organizations active in child-related areas at local/provincial level. Satisfactory progress has been made in this regard.

4. The Cabinet has approved the NBCRC to be consisted of several organs, including a secretariat, four working groups and a coordination council entrusted with the task to coordinate among governmental and non-governmental entities which are associated with children and adolescents in Iran. Based on the Cabinet's decisions, the Coordination Council, chaired by the Minister of Justice, is composed of the authorized representatives of the said entities along with the representative of the Iranian Bar Association, and representatives from three non-governmental organizations who are elected by other NGOs. The following four specialized working groups have been also contemplated to assist the NBCRC and Council to fulfill their mandate of supervision, coordination, and protection of the CRC related issues:

(a) Monitoring and Controlling Working Group;

(b) Legal and Judicial Working Group;

(c) Training and Information Working Group;

(d) Protection and Coordination Working Group.

5. In the first year of its establishment, the NBCRC held several meetings of the Coordination Council, attended by representatives of all organizations associated with the rights of child. The first important working task of the Body coincided with the preparation of the Third Periodic Report of the Islamic Republic of Iran. It, however, could not be submitted in the due time, despite great attempts on the part of the NBCRC and members of its Coordination Council. The present Report is the result of numerous meetings, long sessions as well as the reports received from the members and representatives present in the Coordination Council. As explained in the Report the followings are among the important legal, judicial and administrative developments in the period covered by the Report:

- Enactment of several special laws in child-related areas. In the recent years, the Legislative branch of the Government of Islamic Republic of Iran has enacted important laws in child-related areas, such as the Act on Protection of Children and Adolescents and the Act on Protection of Women and Children without Guardian. Meanwhile, the drafts of several other bills, like the Bill on Consideration of Crimes Committed by the Children and Adolescents, are finalized and pending before the Parliament to be considered. Recently, the section on procedural rules of the latter bill have been approved through the new law on amendment of Penal Procedure Act, while its substantial rules have been enacted within new Amended Islamic Punishment Act. Accordingly the very content of the Bill is almost covered in these two acts.

- Approval of the Comprehensive Bill on Protection of the Children and Adolescents Rights. The abovementioned Bill has been approved by the Board of Ministers and sent to the Parliament whose Legal–Judicial Commission is currently considering it. Expectedly, the Bill, when ratified, brings about notable changes, from protection point of view, to the rights and privileges of children, especially those who are victims of crimes.

- Approval of the Bill on Protection of Children without Guardians. After facing extensive deliberations, the Bill on Protection of Children without Guardian, also, passes final steps of its approval. It will produce legal, judicial and administrative reforms to the existing laws and regulations which will be explained, in some details, in the subsequent sections of the Report.

- Considerable increase in the number of the Juvenile Correction Centers. In the past few years the number of the Juvenile Correction Centers (special centers for maintaining and correcting children who act against laws) has increased from 12 in 1999 to 28 in 2011. These Centers not only keep the children who act against the law, totally separated from prisons, but serve also to promote the best interests of these children by providing them with education and self-improvement training opportunities.

- Issuance of several judicial verdicts in the courts according to the provisions of the Convention on the Rights of the Child. Children are vulnerable human beings who may end up in many psychological and social disorders, including committing criminal acts, in circumstances where they feel distress, as well as deprivation from affection, economy and education. Accordingly, in the recent years, the judges of juvenile courts when considering the crimes committed by children and adolescents, and judges of family courts when hearing cases of divorce, maintenance and custody, take into account the principle of preserving the best interests of the child and in this regard they rely on provisions of the Convention on the Rights of the Child, along with the protective laws of the Islamic Republic of Iran while issuing their verdicts. Some of such verdicts are attached to this Report.

- Execution of the new plan for honoring orphans. Through a new and creative program, called the Plan for Honoring Orphans, far reaching steps have been taken to protect and support children without guardians or financial supports. It contemplates mechanisms for identification and providing financial supports for those children, while fully observing the confidentiality requirements in order not to compromise their dignity. It identifies the children without guardians through public notice, while at same time it takes appropriate measures to ensure that their identities, particulars and addresses are duly preserved. The Plan then provides them with monthly allowance.

- Implementation of a New Assessment System in Elementary Schools. Since 2009, the Ministry of Education has substituted the "descriptive-qualitative system" (gradual assessment) for "descriptive-quantitative system" (exam-based assessment). The main goal of this new assessment system is to promote the psychological health and to remove the unintended stress that an exam-based assessment may cause for the young school children.

- Increasing the role of non-governmental organizations. The NBCRC has constantly encouraged the cooperation between NGOs, active in the child-related areas, and relevant governmental organization. Accordingly, there exists systematic collaboration between such entities. Especially, governmental organizations, such as the State Social Welfare Organization, the Municipalities and the Ministry of Labour, which have responsibilities in the field of the right of the child, have now close cooperation with the related NGOs.

6. The NBCRC, since the very first days of establishments, has tried to include NGOs in its most important constituent organ, namely the Coordination Council, by allocating them representation seats. In this regard, it has so far held several consultation meetings and recently organized an election among volunteered NGOs to elect the three representative NGOs for the Cooperation Council. These representatives are now actively participating in all sessions of the Council, with same voice and vote as other governmental members.

7. In preparing the present report, every effort has been made to collect reliable statistics regarding different provisions of the Convention and those needed according to the Guidelines. Particularly, in this regard, the latest formal statistics produced in the Islamic Republic of Iran was examined to reveal the current statistics of the children according to their sex, ethnicity, religion or disability. However, due to fusion, diversity and propagation of the subject, this could not be completely achieved. For example, as a result of the promulgation of population (because of domicile and marriage) and the fact that ethnic groups or religious minorities, who are living throughout the Country, are not officially registered according to their ethnicity or religion, it was not possible to completely extract the numbers of different ethnical groups or religious minorities.

8. Moreover, it was not possible for the NBCRC, despite inquiries made, to extract an exact figure of the budget specifically allocated to children in organizations or bodies associated with children. Since many of such organizations provide their services to the general public, irrespective of their age, and their allocated budget has not been divided according to age of the persons who receive the service, the NBCRC has not yet been able to provide in the Report the required budget information. It notes worthy that many governmental bodies have to deal with different aspects of the children's life as their mandate or have specific divisions in their organizational charts. These are organizations which spend considerable portion of their budget to children. To name a few, the NBCRC can mention: the Municipalities, Ministry of Labour, State Social Welfare Organization, cultural deputies of Governors General of Provinces (Ministry of the Interior), Police (Ministry of the Interior), State Personal Status Registration Organization (Ministry of the Interior), State Technical — Vocational Training Organization, Physical Education

Organization, Ministry of Islamic Culture and Guidance, the Islamic Republic of Iran Broadcasting Organization (specially Channel 2 of I.R.I.B. TV), Presidency Office for Under-developed Regions, the Red Crescent Society, Imam Khomeini Relief Foundation and the Judiciary of the Islamic Republic of Iran. None of them include in their annual budget an independent index for the service that they provide to children.

9. Although, some parts of the private sector, such as day-cares, nurseries and some non-governmental organizations benefit from financial or material aids provided by the Government, the inquiries made to them to identify the amount of budget allocated to the children in this sector have not yet been fruitful.

10. The existence of variant cultures and cultural and ethnic sensitivities in some areas, the dispersion of villages, which has resulted in under-development of some rural areas, along with the immensity of the country and shortage of immediate resources have made ensuring the widespread implementation of the Convention a challenge for the NBCRC. Additionally, the legal and illegal migrations from neighboring countries in the past three decades have not only depleted the existing resources, but also affected intended implementation of the provisions of the Convention in respect to the migrant, asylum-seeking and refugee children. Cases have been reported that migrant families resist against any change to their customary practice (such as forceful marriage of girls or allowing them to go to schools). The existing level of international contribution is not sufficient to meet the growing needs migrant families and their children.

II. Basic and fundamental rights

Definition of the child (art. 1)

1. Childhood Age in the Laws and Regulations of the Islamic Republic of Iran

11. According to Article 1 of the Convention on the Rights of the Child, "a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier." Article 1210 of the Iranian Civil Code states that: "The majority age for the boy is full 15 years according to the *Hijri* calendar and for the girl full 9 years according to the *Hijri* calendar." Nevertheless, in most laws and regulations of the Islamic Republic of Iran, especially those that have been passed for the purpose of protection of children, including the followings as well as new bills that have been prepared according to the principles and provisions of the Convention, a child is defined as the person who is under the age of 18:

(1) Protection of Children and Adolescents Act of 06th December 2002:

"Article 1 – All the persons who have not attained the age of 18 according to the Iranian calendar, shall benefit from the legal protections provided for by this Act."

The Act includes, *inter alia*, protections form bullying, harassments, any form of exploitation, physical or mental torture and denial of or deprivation form education.

(2) Labour Act of 30th December 1990:

"Article 84 – In the jobs and works that, because of their nature and the conditions under which they are carried out, may be harmful for the health or spirit of the trainees and adolescents, the least age for work will be 18. This issue shall be considered by the Ministry of Labour and Social Affairs."

(3) Public and Revolutionary Courts (Criminal) Procedure Act of 11th April 1999:

"Note to Article 220 – All the crimes committed by the [junior] adults who are under 18 years old, are considered by the Juvenile Court according to the public regulations."

(4) Article 14 of the State Employment Act of 21st June 1966 and subsequent amendments thereto:

"Those who are willing to be employed officially, should meet the following requirements: a. to be at least 18 years and at most 40 years old…"

The State Services Management Act, approved on 2007, entered into force on 2010, has subsequently increased the employment age to 20 years.

(5) Passport Act of 1st March 1973 and the subsequent amendments thereto:

"Article 21 – The names of the children under the age of 18 who are travelling together with one of their parents, grandfathers, grandmothers, stepmother, stepfather, sister or brother, shall be registered in the passports of the mentioned persons if requested by their parents or guardians, as the case may be."

(6) Act on Providing the Iranian Children and Adolescents with the Education Means and Possibilities, approved on 1974:

"Article 3 – The father, mother or legal guardian of an adolescent under the age of 18 is obliged to enroll him/her in the high school, if he/she has successfully passed the junior high school level and is qualified to study in the higher level according to the regulations of the Ministry of Education, and to provide him/her with the means for the continuation of his/her study. In case the mentioned persons cannot afford to do so, the government is obliged to prepare the necessary means and possibilities for the continuation of study of such adolescents, observing Article 6 of the present Act."

Article 6 of the Act proscribes that studying at high school level should be free for all persons, provided that they serve at public sectors for the period that they have enjoyed free education. However, this Article was superseded by Article 30 of the Constitution of the Islamic Republic of Iran which provides all members of the whole nation with free education at every level, including high schools and higher education.

(7) Act on Personal Status Registration of 1976, amended on 1984:

"Article 16 – Notification and signing the General Book of the Events shall be, respectively, on the charge of the following persons:

a. Father and grandfather;

…

g. The person himself/herself, who has the age of 18 or more;"

(8) Act on Permitting to Open Saving Account for the Children, approved on 1978 and the subsequent amendments thereto:

"The account holder is entitled to withdraw money from his/her deposit account only when he/she attains the age of 18."

(9) By-law of Organizing Street Children of 2005:

"Article 1 – The following terms in the by-law shall mean as follows:

Street Child: a person under the age of 18 who lives totally or partially in the street, including a child who is yet in contact with his/her family and enjoys a home, or a child who considers the street as his/her home and has the least relation with the family or, in principle, do not have such a relation."

12. Having mentioned the above laws and by-law, it could be held that, in principle, in most of the domestic laws and regulations of the Islamic Republic of Iran, the age of 18 is regarded as the end of childhood. In some cases, however, such as the Act of 1995 on Protection of Women and Children without Guardian, the age of end of childhood could be even regarded above 18 where criteria such as "mental development" or "protection considerations" are taken into account. In fact, these provisions are in coordination with the first part of Article 1 of the Convention.[1]

13. The new amended Islamic Punishment Act takes usage of "mental development" and "gradual criminal liability" criteria to establish the criminal liability of the children and determine the social responses. The absolute criminal age has also increased to 18 years. The new act supersedes the previous Islamic Punishment Act which followed the religious majority criterion.

14. Article 90 of the Islamic Punishment Act states:

> "In the crimes causing *Hadd* punishment (punishment ordained by Sharia) or Qisas (corporal punishment), where adults under 18 years age do not comprehend the nature and/or prohibition of the committed offence or where their mental development and perfection are doubted, they will be sentenced, as the case may be, to the punishments provided for in this section, corresponding to their ages.
>
> Note: the court may seek the advice of the forensic medicine or other means, that it considers appropriate, to determine the mental development and perfection of the concerned person."

2. Number of the Children under the Age of 18

15. According to the Statistics Center[2] of the Islamic Republic of Iran, total number of the population of the country who are between 0 to 18 years old, considering their sex is as follows:

	Urban			*Rural*			*Non-domiciled*			*Total*		
Item	*Male*	*Female*	***Total***	*Male*	*Female*	***Total***	*Male*	*Female*	***Total***	*Male*	*Female*	***Total***
-1 year	382,982	362,822	**745,804**	202,359	191,645	**394,004**	1,082	1,077	**2,159**	58,6423	555,544	**1,141,967**
1-4 years	1,446,019	1,374,093	**2,820,112**	764,720	728,668	**1,493,388**	4,406	4,105	**8,511**	2,215,145	2,106,866	**4,322,011**
5-9 years	1,842,333	1,756,041	**3,598,374**	972,653	927,039	**1,899,692**	5,538	5,453	**10,991**	2,820,524	2,688,533	**5,509,057**
10-14 years	2,191,218	2,086,461	**4,277,679**	1,243,833	1,174,690	**2,418,523**	6,194	6,198	**12,392**	3,441,245	3,267,349	**6,708,594**
15-17 years	1,743,086	1,657,868	**3,400,954**	901,830	862,032	**1,763,862**	4,431	4,317	**8,748**	2,649,347	2,524,217	**5,173,564**
18 years	616,302	594,721	**1,211,023**	311,779	299,432	**611,211**	1,657	1,538	**3,195**	929,738	895,691	**1,825,429**
Total	**8,221,940**	**7,832,006**	**16,053,946**	**4,397,174**	**4,183,506**	**8,580,680**	**23,308**	**22,688**	**45,994**	**12,642,422**	**12,038,200**	**24,680,622**

[1] On the question of religious maturity/majority criterion in civil matters, it needs to be mentioned that it is often determined in line with the best interests of the child. It is less than the age of 18 years only for marriage. For girls, it has been increased from 9 years to 13 years. The amended Article 1041 of the Civil Code, accordingly, states:
"Marriage of a girl before attaining the age of full 13 years, and of a boy before attaining the age of full 15 years, is subject to the permission of his/her guardian, provided that his/her expediency, considered by the competent court is observed."
At present, in practice, the age of marriage or girls and boys in Iran has been increased due to cultural development and increase in general education throughout the country.

[2] The statistics are taken every 5 years.

III. General principles (arts. 2, 3, 6 and 12)

A. Non-discrimination (protecting the child against any type of discrimination) (art. 2)

16. The principle of non-discrimination is guaranteed in the Constitution of the Islamic Republic of Iran. Its Article 20 stipulates:

> "All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria."

17. The executive and public bodies, offering services to children, have also taken measures to ensure the principle of non-discrimination. Some of the measures are mentioned as follows:

18. The Ministry of Education provides all the students with the possibilities of education and training, regardless of their race, religion, political views, etc. Besides, students from a minority religion enjoy the right to get educations related to their own religions.

19. The State Welfare Organization which is responsible to support children without (capable) guardians or of special needs admits all the children and adolescents under the age of 18 years, regardless of their religion, race or nationality, who have lost their guardians permanently or temporarily, for any reason, in quasi-family section. The admitted children benefit from all services of the Organization, including care and education. To determine the best of interest of the child, judicial authority will decide on the capability of the guardian to discharge its responsibilities or the eligibility of the child to benefit from the services.

20. At present, in most of welfare centers throughout the country, children of foreign nationality, especially Iraqi, Afghan and Pakistani children, are under care, education and specialized services, similar to those rendered to Iranian children.

21. There is a higher chance that the refugee children, because of the difference of their nationality, religion or race with the host country, face discrimination or to lose equal chance in receiving required services. With this in mind, the Ministry of the Interior has taken the numerous measures, in cooperation of other relevant bodies, to protect such children and provide them with the required services:

- To introduce those children who require some especial clinical needs, such as kidney transplantation, or suffer from hard-cured diseases, like thalassemia and hemophilia to the special protection/support associations/institutions and to protect them through insurance services or direct financial support;
- To fund and carry out several sport, educational and medical projects for refugee children as well as to provide those in need with the financial aids;
- To give education to more than 250,000 Iraqi and Afghan refugee children in the national schools throughout the country;
- To vaccinate all the refugee children along with the Iranian children;
- To send the poliomyelitis vaccine to Afghanistan;
- To execute different educational and preparatory projects for the Afghan children, with the cooperation of national and international non-governmental organizations;

- To carry out educational, health and sport projects for Afghan children throughout the country, especially in cities, like Shahr-Ray and Nematabad which accommodate large population of Afghan refugees;
- To carry out projects to prevent Afghan children from HIV and AIDS;
- To arrange recreational and educational tours for children without guardians to different parts of the country, including the holy city of Mashhad;
- To distribute, with the cooperation of some NGOs, cloths, food, cleaning and sanitary products among the Afghan children in need; and
- To provide vocational education and trainings to prepare the refugee children when they voluntarily return to their home country.

B. To secure the best interests of child (art. 3)

22. Safeguarding the best interests of children and prioritizing their welfare have always been the main goals in Islamic Republic of Iran, when it comes to policy making, law-formation or enforcement of laws. In this regard, particular attentions have been paid to their family, educational and social aspects of life. Every effort has also been made and different governmental organizations have been mandated to protect and support the institution of family as the fundamental unit of society which basically gives priority to children. In this regard, as briefly explained below, the Center for Women and Family Affairs is primarily mandated to forward the interests of families in the Presidency Office. Special centers and organizations, such as the State Welfare Organization, are in charge to supports children in need of special care.

23. The Venter for Women and Family Affairs of the presidency is entrusted to advance the best interests of these in all levels of planning and programming in the Government. In this regard, carrying out studies, planning, programming, policy-making, proposing the amendment of the laws and regulations, or enforcing the executive plans are among the primary functions of this Center in the area of women and family affairs. Children, as part of the family, in general, and the girls between the ages of 7 to 18, in particular, have been the center of the recent programs planned by the Center and the special committee, called the Committee for Girls. The followings are among the measures taken by the Center for Women and Children in order to secure the best interests of the child:

- To establish legal committees and put forward proposals to improve family protection of children, such as:
    - To raise the status of worker women in the Labour Act as well as to improve occupational facilities for working mothers by providing them with daycares at workplaces, increasing Breast-Feeding time, decreasing working hours, early voluntary retirement;
    - To adjust the Family Protection Bill to the need of mothers and children;
    - To encourage and pursue cooperation between the Islamic Republic of Iran and international organizations in the matters related to the women, children and family issues;
    - To participate in establishing the National Working Group on Family and to draft its relevant By-law; and
- To formulate and implement the (national) instrument for improving leisure time of the girls and women;

- To suggest the increase of occupational facilities for the mothers who have children in daycares;
- To support researches and publications on children;
- To advance proposals to raise the status of breastfeeding mothers by amending the 1995 Act on Encouragement and Supporting of Breast-Feeding and Breast-feeding Mothers;
- To propose, formulate and implement the action plan for preventing injustice and violence against women and children, in harmony with the justice-based approach of the National Twenty-Year Perspective Strategy;
- To hold several conferences on the issues related to family and child, such as:
    - Specialized-International Seminar on Family Rights;
    - International Conference on the Rights of Women and Children in the Process of Judicial Justice, attended by the female judges and judges of juvenile courts, in order to consider the existing problems and attempt to remove them and promote the proceedings system;
    - Conference on Street Children and Child Labour with cooperation of the non-governmental organizations;
- To hold on-the-job training courses for the governmental employees. The Center with association of relevant organization and with the aim of strengthening the foundation of family and effective operation of its functions has held series of training courses for governmental organizations. Over 160000 employees have since participated in the courses. The titles and general content of the courses are as follows:

	Training Course Title	*Resources*
1	Principles of nutrition & health (safe nutrition behavior) – training, subject of paragraph 26 of By-law of Deputy Presidency for Human Resource Management and Development	Book titled "Nutrition in Family"
2	Training role of parents in development of education human resource development – training, subject of paragraph 27 of By-law of Deputy Presidency for Human Resource Management and Development	• Book titled "Nasim Mehr" [Breeze of Affection] in two volumes • CD titled "Religious Education of Children"
3	Life skills – training, subject of paragraph 28 of By-law of Deputy Presidency for Human Resource Management and Development	Skill of economic management of family
4	Family and its ruling relations – training, subject of paragraph 29 of By-law of Deputy Presidency for Human Resource Management and Development	Book titled "Dynamic Family" in 6 volumes

24. To secure the best interests of the children, principally those of special needs, the State Welfare Organization has taken the following steps:

- To train and retrain the managers (for 170 hours), trainers (for 180 hours), and those who have applied for the license to establish daycares (for 70 hours). The trainings have been primarily in the areas of child psychology, child rights, introduction to child behavior disorders;

- To train and retrain the care-takers and personnel of daycares;
- To conclude cooperation agreement with 30 national and international bodies acting in the area of development and perfection of children, in order to achieve the objectives of children's integrated development and perfection;
- To participate in the work of the State committee of growth and development of children in order to prepare the national instrument on this issue. The Committee which has started its activity with the cooperation of the Ministry of Education, Ministry of Health, Treatment and Medical Education, and State Welfare Organization is aimed to diversify the types of the services given to children and to make them as inclusive as possible. It also designed to make coordination among the relevant bodies to prevent duplications. The Committee has formulated a (national) agreement on growth and development of children of the minor children. its provisions are currently under implementation.
- To provide care-taking services on 24/7 basis to mentally disabled children in the Special Children Care Centers in order to secure the safety, health and nutrition of such children who cannot receive care at their homes;
- To provide medical services on 24/7 basis or performing periodical examinations and visits to children in special needs and care in the Special Children Care Centers by the internal specialists, psychiatrists, nurses and assistant nurses, to improve the safety and health status, treatment and prevention of contagious diseases or periodical tests and visits;
- To provide the medico-rehabilitation services on 24/7 basis in the Special Children Care Centers, including occupational-therapy, physiotherapy, speech-therapy, in order to prevent the increase of effects of disability and limitations resulted thereof, to help remove the mental and emotional problems, to give advice to the families, and to reduce the stresses on the family arising from disability;
- To provide social services to disabled children's families while considering their social and economic status and needs;
- To establish the shelter houses, specialized in giving services to children with the slightly mental disability who have no guardians or their guardians are not able to discharge their responsibilities properly. The houses provide the said children with different rehabilitation, cultural and social services while preparing them to be sent to the volunteered families, in the form of adoption or fostering.

1. To Provide for Best Interests of Child in Laws Relating to Employment of Governmental Employees

25. The Act on 1995 on Development of Breast-Feeding and Protecting Mothers during Breast-Feeding, and the amendments and annexes thereto, have contemplated certain period for breastfeeding of the newly born children. The period which is about to increase is seen to be vital for nutritional, emotional and physical needs of the children. The relevant articles are mentioned bellow:

> "Article 3 – The childbirth leave of the mothers who breast feed their children, up to 3 children, is 4 months in the governmental and private sectors.
>
> Note 1: Those mothers who breast feed their children and have come back to their works, and still they are breast feeding their children, are entitled to benefit from 1 hour leave per day (without consideration of deserved leave).
>
> Note 2: Mother's jobs after the childbirth leave and during breast feeding must be secured.

Note 3: the childbirth leave for delivery of twins is 5 months and for triplets and more is 1 year together with related allowances and rights.

Article 4 – The governmental bodies and bodies that are affiliated to the government, including those whose names are mentioned in the laws and are subjected to the provisions of laws, as well as other bodies who are not subject to the Labour Act due to their special employment requirements, are obliged to prepare appropriate facilities for mothers to breast feed their children besides their work places."

2. Protection and Care Necessary for Welfare of Children Taking into Account the Duties of Parents or Legal Guardians

26. By the virtue of Articles 1173, 1178 and 1179 of the Iranian Civil Code, the parents are bound to take such measures, as appropriate, to provide their children with the appropriate education, as well health and safety. They also should refrain from punishing them beyond the religious limits. Parents must not abuse their children or force them to engage in immoral issues, such as corrupted activities, prostitution, beggary, trafficking ... In addition, they may not prevent their children from study and education.

27. The enforcement sanctions for the violation of these legal responsibilities are prescribed in Article 1173 of Civil Code and may even include depriving the delinquent parents from the custody of the child on the request of child's relatives, legal guardian or the local Public Prosecutor or head of judicial district. The decision should be made by the competent courts. The Act of 1974 on Providing Facilities and Means of Iranian Children and Adolescent's Education, the Children and Adolescents Protection Act of 2002, the Labour Act, as well as Article 713 of Islamic Punishment Act have also prescribed additional punishments.

3. Child Custody

28. According to Article 1168 of Civil Code, custody of children is both the right and duty of the parents.[3] Any dispute between the parents may not abdicate their parental rights and responsibilities. In case of divorce, Article 1174 of Civil Code ensures the right to visit the child for either of the parents who does not have the custody. This is also supported by Article 632 of the Islamic Punishment Act from criminal point of view.

29. The Domestic laws of Islamic Republic of Iran, including Articles 1168, 1172, 1175 and 1178 of Civil Code prescribe that children should not be separated from their parents and must be developed and trained under the stewardship/guardianship of their parents. The parents should make every effort to perform their parental responsibilities. According to Act of 2003 on Amending Article 1169 of Civil Code, in case of separation of parents, the custody of the children, up to the age of 7, will be necessarily conferred on the mother and after that age up to the age of religions puberty shall be with the father, unless the judicial authority ascertains the incompetence of the mother in accordance with Articles 1175, 1173 and 1170 of Civil Code and Article 13 of the Family Protection Act and issues a final verdict thereto. After the age of 7 years and "in case of disputes between the parents, the custody of children, either girl or boy, after the age of 7 years, shall be determined by the

[3] With regard to the guardianship of the children who lack guardians, also, the provisions of Act on Protection of Children without Guardian, approved on 1974 are applied.

court, taking into account the convenience of the children." (Note to the Article 13 of the Family Protection Act).[4]

30. In cases where the custody is granted to the mother and she is not able to discharge her duties (because of certain reasons, such as being affected by insanity during the custody or getting married to another man), the custody will be transferred to the father, by a court's decision. The custody may also be conferred upon a qualified person and the related costs will be borne by the father and in case of his death, by the mother.

31. The duties of the parents in regard to the custody of their children have also been reiterated in Act of 1986 on the Right to Custody. The imposed custody or living of the child with one of the parents is up to the time when the child attains the religious puberty age. In cases of separated parents, by reaching that age, the child has the right to choose living with either the mother or the father.

4. Establishment of Family Dispute Settlement Councils

32. Along with Articles 10 and 21 of the Constitution and based on the Circular dated 14th September 2008, the family dispute settlement councils were established to consider family mattered issues. The Councils, which have currently over 500 branches, nationwide, include special branches for hearing matters related to the women and families. Each of such branches is composed of at least 2 women as well as female judges. Besides, the judicial assistance and aid units and legal clinics have been established to provide free legal services for the families, with the cooperation of the lawyers and legal advisors.

5. Recent Legal Amendments

33. The Family Protection Bill provides for additional arrangements, including the followings, which result in the better achievement by the children of their rights:

- To establish the Specialized Family Court;
- To hear the family disputes by panels of judges;
- To require the presence of female judges in the family courts;
- To set up the Family Counseling Centers;
- To encourage the courts to take prompts decision in the matters such as children's custody, protection, visit and alimony.

C. Recognize and ensure of the child's right to life, survival and development (art. 6)

34. In the laws of the Islamic Republic of Iran, the child's right to life extends to the prenatal stage as well. Accordingly, Articles 622, 623 and 624 of the Islamic Punishment Act have considered the abortion or providing its means as a crime. In this line, Article 956

[4] In practice, some courts rely on the opinion of the Supreme Judicial Council. This opinion allows the custody of the child to be conferred upon the mother in case of her distress and constriction, e.g., when she cannot tolerate her child's separation, even though the child's age is more than that provided for in Article 1169 of Civil Code.
Some other courts, having a broad interpretation of Article 1175 of Civil Code, and as the legal cause exists, entrust the mother with the right of custody. This Article states that: "A child cannot be taken from the parents or the father or the mother who is in charge of his/her custody except in cases where a legal reason exists for doing so."

of Civil Code implies that the fetus, if born alive, shall possess rights and Articles 875 and 878 of the said Code, recognize their rights to inheritance. Accordingly, the bequest shall not be divided (e.g. between the siblings) until the fetus is born.

35. In a recent initiative, the Tehran Municipality has launched a plan, called "*Ghoncheh – haye – Shahr*" (City Buds) of which all children born in 2007 and thereafter are insured against incidents and congenital disabilities. Through this plan, the Municipality also sends cultural packages and gifts to such children.

36. In another initiative, the Imam Khomeini Relief Foundation has taken measures to support the children whose lives or wellbeing is endangered by natural disasters. The initiative, which does not replace but adds to the measures taken by the relevant governmental authorities, includes the following:

- Distribution of food and sanitary products, at the first stages of the crises, among the such children to prevent malnutrition and health related problems;
- Resettlement of children, permanently and temporarily, in tents or houses, and providing shelter for the children and their families;
- Providing survival training courses for children and students;
- Helping with insuring families and their houses against natural disasters;
- Providing the families and children, affected by the natural disasters, with the counseling and assistance;
- Identifying children, afflicted by the natural disasters, and provide them with protection packages.

D. Right to express views (art. 12)

37. Different governmental bodies and public organizations, including the Ministry of Education, the Tehran Municipality and the Imam Khomeini Relief Foundation have taken measures or launched initiatives to provide children, at different ages, forums or means to express their views.

38. The Ministry of Education, for example, has established two institutions (Students Council and Students Parliament) for students to express their views and participate in the decision making process for educational matters. The Students Council, which is formed within schools, provides a means or channel for expressing or transferring students' views and reflections to the management of the schools. The Students Parliament[5] has, however, a broader mandate. While helping students to collaborate on the basis on the principles and norms of democracy, the Students Parliament also aims to work as a teaching forum for students to practice a constructive and knowledgeable participation in the matters relate to their studentship and life as students. Accordingly, the composition of the Parliament, its election process and the rules of procedures are so designed to guarantee wide representation of all students throughout the country and to respect democratic principles.[6] The Students Parliament formulated and ratified the Students Rights Charter in 40 Articles.[7]

[5] The Supreme Council for Education decided to establish the Students Parliament on 14th March 2002.

[6] The first stage of elections are held in the schools and 5-9 students are elected from every school and introduced to the Education District to form a league in which the election is held. Three girls and three boys, totally six students, are elected as the members of District or City Student Council. Of this council, one girl and one boy who have received the top votes are introduced as the Representatives

39. The Institute for Intellectual Development of Children and Young Adults has similarly initiated some programs to improve and strengthen children's and young adults' self-esteem and ability to express and hear ideas. The program includes a series of meetings of open discussions, book reviews, movie criticism, etc. The Tehran Municipality, has designed a similar program for children living the city of Tehran.

40. The children's right to express themselves in a court of law or personally attend in the judicial proceedings is recognized in the Iranian laws. According to the Rules of Procedure of the Public and Revolutionary Courts in criminal matters, besides having the right to be accompanied by their legal guardians or attorneys, children may personally attend the hearings related to the criminal cases or claims arising from an offence to submit their statements. Article 220 of Public and Revolutionary Courts Procedure Law[8] has obliged the court to announce to the legal guardian of the child either to attend the court personally or to appoint an attorney[9] for the child. If the legal guardian of the child fails to do that the court should appoint an attorney for the child from the beginning of the proceedings.

41. The children staying in the Juvenile Correction Centers are also given opportunities to express their views on the issues on their interests. For instance, they publish in-house newsletters to have their voices heard. Members of editorial board and editor-in-chief are selected from the children and by the children.

IV. Civil rights and freedoms

A. Right to name and acquire nationality, including the right to preserve identity (arts. 7 and 8)

42. Article 993 of the Iranian Civil Code requires that every person born in the territory of the Islamic Republic of Iran should, at the time of birth, assume name[10] and nationality,

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of District to the Province Education Department and form the Province Representatives League. The proportion of each province differs from others. For example, Tehran Province, 14 representatives, Khorasan Province, 12 representatives, Isfahan Province, 10 representatives and Fars Province, 10 representatives. Totally, 146 members are elected. Either of the religious minorities (Armenians, Zoroastrians, Jews, Assyrians) have one representative, totally 4 representatives. These members are elected for 2 years and during this period, they will have four meetings. Each meeting may last for 3-4 days. The sessions are held in different venues, but usually in October.

[7] See Annex I.

[8] Article 220 of Public and Revolutionary Courts Procedure Law states: "when considering the crimes committed by the children, the court is obliged to announce to the legal guardian of the child either to attend the court personally or to appoint an attorney for the child. If the legal guardian of the child does not appoint an attorney and does not attend the court personally, the court shall appoint an attorney for the child from the beginning of the proceedings."

[9] Based on Article 185 of Public and Revolutionary Courts Procedure Law, the parties are entitled to appoint and introduce their attorney or attorneys in all criminal matters. Also, Article 186 has provided an accused, who cannot afford to appoint an attorney, with the right to request the court to appoint an attorney for him/her. The advocate's fees will be paid by the justice administration office. When the accused does not appoint an attorney, relying on Note 1 of Article 186, the court must appoint an attorney for him/her in crimes punishments of which according to the laws is retaliation, death penalty, stoning and life imprisonment.

[10] 1) Article 993 of Civil Code necessitates the registration of child birth: "The following events must be notified to the Personal Status Registration Office during the within proper time and in the manner stipulated by special laws and regulations:

even if their parents are unknown. As per Personal Status Registration Act of 1976, children are entitled to have first name and surname (according to his/her father's family name), to be registered together with other particulars. In addition to announcing the birth of the child, his/her names and specifications, including the date of birth should be announced within 15 days after the birth to the State Personal Status Registration Organization or Iranian consular posts abroad (for Iranian nationals residing in other countries) so that a birth certificate/ID. Card is issued for the child. The Ministry of Health, in an independent survey, in 2010, studied birth certificate issued for children under one year old. It also took note of the rate of birth certificate of children under 5 during the course of survey (see Annex II).

Table 1

Birth Registration of Children under One Year Old, in MIDHS 2010, IMES 2005, DHS 2000, MICS 1997 Studies

	MICS 1997	*DHS 2000*	*IMDS 2005*	*MIDHS 2010*
Urban	91.0	-	-	97.69
Rural	83.4	-	-	95.09
Total	**87.7**	**-**	**-**	**96.75**

43. For a child, whose identity is unknown, an ID card will be issued according to the name of the family who adopts him/her. For other children without ID card who do not meet the requirements of being adopted, the ID card will be issued in coordination with Personal Status Registration Departments.

44. There is a similar legal requirement and arrangement for nationality. According to the black letters of the Iranian Civil Code, every individual, born in the territory of the Islamic Republic of Iran, shall enjoy nationality. The children whose nationalities are unknown are transferred to families as adopted children and then birth certificates are issued for them as per the parents who have adopted them.

45. As the Iranian nationality passes to the children via their fathers, the children of Iranian women who have married foreign nationals (particularly illegal migrants) face problems in respect to acquiring nationality. In this regard, the Single Article Act on Deciding on the Nationality of Children Born as a Result of Marriage of Iranian Women and Foreign National Men was enacted in 2006. According to this Act, "the children who have been or are born in Iran at most within one year after the date of ratification of this Act as a result of marriage of Iranian women to foreign national men, may, upon attaining the age of 18, apply for acquiring Iranian nationality. They shall receive Iranian nationality if they do not have any criminal or security record and waiving themselves of non-Iranian nationality."

46. The Ministry of the Interior is in charge to ascertain the birth of the child in Iran as well as to issue marriage certificate for their parents, subject of Article 1060 of Civil Code. After that, the police will issue the residence permit for the father of the child. The children,

a. All births and all abortions which may occur after 6th month from the date of conception..."

2) Paragraph 3 of Article 976 of Civil Code states that: "the followings are considered to be Iranian nationals: ...

3) Those born in Iran of unknown parents;...

referred to in this Article, are automatically permitted to permanently reside in Iran even before acquiring the Iranian nationality.[11]

47. Based on this Act the Commission of Granting Nationality has been established since 2007 in the Ministry of the Interior to consider the applications submitted for Iranian nationality and to decide on granting Iranian nationality to those children who are born of Iranian mothers. In the past years, the Commission has had numerous meetings and granted Iranian nationality to over 1,600 persons. The majority of persons who have acquired the Iranian nationality have been born of Afghan and Iraqi fathers.

B. Right to freedom of expression (art. 13)

48. Similar to the right to express their views, measures have been taken for children, at different ages, to enjoy the right to freedom of expression as like the other members of the community. However, specific measures have been taken to provide children with forums where they can freely express their views and opinions. The Ministry of Education, in close cooperation with the Ministry of Communications and Information Technology is about to connect a number of 100,000 schools throughout the country to internet. At the moment, over 50,000 schools have been connected to internet. This not only provides schools and students with proper means to have access to information, but also it provides school children with means to express themselves freely. They are accordingly able to enjoy their freedom of expression in a safe environment. Internet is regarded an important tool for freedom of expression for it facilitates communication of users/children to a larger audience.

49. The Ministry of Education has heavily invested on equipping schools with internet and consequently providing students with new technologies. Since now over 60 regions of the country have been connected to the internet and by doing this a large part of the young population, namely school children, have now free access to internet as an effective means to access information and to freely exchange views and opinions.

C. Freedom of thought, conscience and religion (art. 14)

50. According to Article 12 of the Constitution of the Islamic Republic of Iran, the official religion of Iran shall be Islam and the Twelve *Ja'fari* school. Other Islamic schools, including *Hanafi*, *Shafei*, *Hanbali* and *Zaidi*, shall be accorded full respect and their followers are free to act in accordance with their own jurisprudence in performing their religious rites. These schools enjoy official status in matters pertaining to religious education, affairs of personal status (marriage, divorce, inheritance, and wills) and related litigation in courts of law. In regions of the country where Muslims following any one of these schools of *fiqh* constitute the majority, local regulations, within the bounds of the jurisdiction of local councils, are to be in accordance with the respective school of *fiqh*, without infringing upon the rights of the followers of other schools.

[11] Notes 1 and 2 to the Single Article Act states:
"Note 1: If the age of persons, subject of this Article, is above 18 years at the time of ratification of the Act, they must request for receiving Iranian nationality at most within one year.
Note 2: from the date of ratification of this Act, those children who are born in Iran as a result of marriage of Iranian women with foreign national men and the marriage of their parents has, from the beginning, been registered according to Article 1060 of Civil Code, will receive the Iranian nationality upon attaining the age of 18 years and at most within one year, irrespective of the residence clause mentioned in Article 979 of Civil Code."

51. Article 13 of the Constitution states that: "Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education. Article 14 stipulates that the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran. And Article 23 prohibits investigation of individuals' beliefs, and no one may be mistreated or being reprimanded simply for holding a certain belief.

D. Access of children to appropriate information (art. 17)

52. The Act on Dissemination of and Easy Access to Information stipulates that every Iranian is entitled to have access to the public information, unless it is prohibited by the law. The Act also requires governmental bodies and public institutions to provide the people with the information, at the earliest time possible, without any discrimination. The plan of connecting 100,000 schools to the internet is carried out by the Ministry of Education through an agreement with the Ministry of Communication and Information Technology. It is planned that, within 5 years, all schools of the country to be changed to smart schools with connection to internet or the national intranet.

E. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

53. Prohibition of torture and inhuman treatment has been repeatedly underlined in numerous article of the Constitution of the Islamic Republic of Iran, including Articles 22, 38 and 39.

> Article 22: "The dignity, life, property, rights, residence, and occupation of the individual are inviolate, except in cases sanctioned by law."
>
> Article 38: "All forms of torture for the purpose of extracting confession or acquiring information are forbidden. Compulsion of individuals to testify, confess, or take an oath is not permissible; and any testimony, confession, or oath, obtained under duress is devoid of value and credence. Violation of this article is liable to punishment in accordance with the law."
>
> Article 39: "All affronts to the dignity and repute of persons arrested, detained, imprisoned, or banished in accordance with the law, whatever form they may take, are forbidden and liable to punishment.."

54. Articles 570 to 587 of the Islamic Punishment Act have foreseen penal sanctions against those who violate the rights mentioned above. Article 587, for example, states:

> "A judicial or non-judicial employee or officer of the government, who inflicts body injuries on an accused in order to force him/her to confess, shall be sentenced, as the case may be, to six months to three years imprisonment, together with retaliation or payment of blood-money…"

55. And Article 579 of the same Act stipulates:

> "An employee or officer of the government, who punishes a sentenced person more severely than the punishment contained in the verdict, or executes a punishment on

him/her not stipulated in the verdict, shall be sentenced to six months to three years imprisonment."

56. Considering the vulnerability and fragility of children, the concepts of torture and inhuman treatment have been broadened in the Children and Adolescents Protection Act of 2002 to include the acts of continuous bullying against them. Articles 2 and 3 of the Children and Adolescents Protection Bill stipulate that the child shall be considered to be in danger and shall receive social and judicial protections, if the parents inflict such punishment on the child which, in any amount, endangers the physical, mental or social health and safety of the child.[12] Moreover, such punishments may result in removal of custodianship, upon the decision of a competent judicial authority.

V. Family environment and alternative care

A. Right to parental direction and guidance or other persons (art. 5)

57. According to the laws and regulations of the Islamic Republic of Iran, it is an obligation of the parents and legal guardians to do the parenting of their children.[13] As will be explained in coming sections, parents are legally bound to exercise care and custody of their children and the offices for the Protection of Women and Children in the Judiciary have taken measures to help parents to discharge their duties. Along with this, several other governmental bodies and Ministries, which are primarily dealing with children, have taken measures to assist parents in fulfilling their parental responsibilities.[14]

58. The Ministry of Education which is charge of educating children between 6 to 18, have done the following activities to properly acquaint parents with the rights of the children, their duties as well as the proper/effective methods of guiding the children. The Ministry has also taken some initiatives in this regard, which a few of them are explained in the following:

59. After three years of study and collaboration with child related specialists, the Ministry of Education developed and put forward "the Comprehensive Plan for Family Training" together with 5 books to teach families of their rights and duties. The plan covers all levels of school children and is entrusted to the provincial general directors of education throughout the country and PSAs to be carried out. At the same time, interested staff of the Ministry were invited, organized and trained to perform as the instructors to teach family members, particularly the parents and legal guardians. Currently, some 12,000 parents and staff are cooperating with PSAs (Parents-Teachers Associations).

60. In 2007, the Ministry prepared new guidelines (Comprehensive System for Promotion of Family Training) to boost family/parents trainings nationwide. The guidelines were formulated based of the assessments received parents, teachers, specialists and other engaged or learned persons. The statistics of the last 5 years show that at least 273,639

[12] Articles 1173 and 1179 of Civil Code and Article 59 of the Islamic Punishment Act allow "reasonable punishment or punishment for correction or protection purposes" by the parents or the legal guardians. But, in practice, the courts do not permit any excessive misinterpretation of these Articles. Articles 2 and 3 of the Children and Adolescents Protection Bill, however, would greatly address any concerns of a misinterpretation of the said Articles.

[13] Article 1178 of Civil Code: "Parents are bound to take such measures as circumstances and their means allow training their children. They must not leave their talents undeveloped."

[14] Annex III briefly indicates the result of an independent survey made by the Ministry of Health concerning certain non-violent actions/measures taken by Iranian families to discipline their children.

family training courses were held, a total number of 710,628 specialized lectures were delivered to the parents, at least 18,325,640 parents (14,550,817 mothers and 3,748,897 fathers) were participated. In addition to the financial aids of the non-governmental bodies, more than 20 Billion IRR has been spent by the government to hold the courses.

61. In another step the Ministry of Education has established and equipped a number of 165 specialized centers for giving advice and guidance to families all over the country and to teach them proper methods of disciplining/training the children and solutions to studying problems. To cover more families and staff on board, the Ministry publishes a highly-circulated specialized training journal (300,000 circulations per month) called *Peyvand* [Connection] to provide parents and teachers with written materials.

62. The Institute for Intellectual Development of Children and Young Adults, which is affiliated to the Ministry of Education, has organized exhibitions, contests, and ceremonies for the Universal Children's Day and series of sessions give advices and counseling to parents to help them with their parental responsibilities.

63. The Tehran Municipality similarly organizes events, festivals and training courses for parents. One of the main objectives of these programs is to inform the parents of the resources and opportunities that are available to them in different areas concerning children. The Municipality has also designed a special program for protecting and providing counseling for single mothers and women- headed households to alleviate their problems, especially in term of raising their children.

64. The State Social Welfare Organization has similarly taken steps to minimize the problems and difficulties of householder women. Its programs are primarily aimed at empowering such women by providing them with the necessary protection, education and psychological support to be able to overcome their problems, particularly those related to raising the children. Special committees in the Organization are in charge to identify those who need such services. Financial aids may also be provided upon the advice of the committees.

65. Moreover, the interested householder women have been organized in the form of (cooperative) groups to assist one another in the process of empowering and rehabilitation. Having common objectives, interrelations and interactions, these groups try to meet their different individual and group needs through collective efforts. Each group provides the members with the opportunity to participate in finding solutions to their cultural, social, economic, emotional problems. It achieves its pre-determined goals through offering necessary education and using three dimensional management strategies (government, individual and group. The State Social Welfare Organization supports the cooperative groups financially and morally. Women and Family Affairs Dept. of State Social Welfare Organization mainly aims at normalizing the lives of householder women.

66. In order to support damaged girls or girls at risk (girls without guardian or having bad/incompetent guardian) the State Welfare Organization has taken protection steps, such as establishing "safe houses". Girls who need protection are, at first, assessed by a specialized team in the certain centers of Intervention in Crisis (individual, family and social crisis) and sent to the "safe houses" to be taken care of. The girls may stay in the said houses for 6 months during which all efforts are made to make it possible for them to return to their families or relatives, as earliest as possible.

B. To ensure non-separation of children from parents unless permitted by law, in line with best interests of the child (art. 9)

67. Article 1168 of Civil Code holds that custody of children by their parents is both the right and duty. As a result, the parents are legally obliged to maintain and take care of the children and may not separate them from themselves. Besides, Article 1175 of the Civil Code stipulates that: "A child may not be taken from the parents or the father or the mother who is in charge of his/her custody, except in cases where legal reasons require doing so." However, in cases where the convenience of the child so requires, it is possible to separate the child from either of the parents or both. This may happen in cases of divorce, imprisonment of one of the parents or both of them or where the father or mother is found morally incompetent to take care of the child.[15] In such cases, Article 1174 of the Civil Code holds: "If the parents of the child do not live in the same house owing to divorce or any other reason, either of the parents who is not in charge of custody of the child has the right to visit the child..."[16] Any breach of this right will be punished according to the criminal laws.

C. To ensure recognition of parental responsibilities for upbringing and development of children (art. 18(2))

68. Numerous laws and regulations,[17] including the relevant provisions of Civil Code, Non-litigious Matters Act, Act on Protection of Children without Guardian, Act on

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[15] In an independent survey made by the Ministry of Health in 2010, the approximate rate of the children who are living with one of the parents. The survey includes all cases of separation, including divorce, death or incompetency of the parents. See Annex IV.

[16] For example, the Family Court of Tehran (Branch of 1707th) by the verdicts number 1977 and 1976 decided upon the divorce as well as the custody of the children and granted the other parent the right to regularly visit the children. (Mohamad Reza (claimant) has lodged a claim against Robabeh (respondent), requesting divorce and child custody. The Court in addition to issuing the "Incompatibility Certificate", which is necessary for pronouncement of divorce formula, on the strength of articles 1168 and 1169 of the Civil Code awarded the custody of the two children, a 10-year-old,(boy), and a 7-year-old, (girl) to the claimant, and on the strength of article 1174 of the Civil Code granted visiting rights to the mother(respondent).The Court rules that the mother can visit their children once every 15 days for a 24-hour period as a companion.)

[17] For example, for the sake of protecting conveniences and rights of children, Articles 1184-1186 of the Iranian Civil Code have stipulated provisions on the natural guardian as follows:
"Article 1184 (amended on 22nd May 2000): If the natural guardian of the child does not consider the benefits of the minor and takes measures causing damages to the ward, the court will, on application by one of the relatives of the child or on the request of the head of judicial district, and after the confirmation, will dismiss the mentioned guardian ©prohibiting him/her from intervening in the assets of the minor and appoint a competent trustee to administer the financial affairs of the child. Also, according to this Article, where the guardian of the child is not capable to administer the assets of his ward owing to old age, sickness or similar reasons, and he/she does not appoint any person to do the same, a trustee shall be appointed to join the natural guardian.
"Article 1187: If the only natural guardian of a child fails to administer the affairs of his ward owing to absence or imprisonment or any other reason, and he has not appointed anyone else to represent him, the court will appoint provisionally a trustee on the proposal of the Public Prosecutor for taking charge of the assets and other affairs of the ward."
"Article 1191: If the executor of the will appointed by the natural guardian does not take steps for the maintenance or the education of his ward or for the administration of his/her assets or if he refrains from fulfilling his duties he will be dismissed."

"Article 1193: As soon as a child reaches the age of maturity, he will cease to be under guardianship and if he becomes subsequently mentally deficient or insane, a guardian will be appointed for him."
"Article 1168: Maintenance of children is both the right and obligation of the parents."
Regarding the death of one of the parents:
"Article 1171: If one of the parents dies, the custody will be the duty of the surviving even the deceased has been the father and he has appointed a guardian for the child."
"Article 1172: Neither of the parents may refuse to maintain the child during the time when he or she is responsible for its custody. If he or she does so, the court must oblige him or her, at the request of the other party or the guardian or one of the relatives or the Public Prosecutor, to assume the custody. If such enforcement is impossible or ineffective the court must provide the custody at the expense of the father, or of the mother in the event of the death of the former."
Regarding the maintenance of the children:
"Article 1199: Maintenance of children is the duty of the father. On his death or his incapacity for maintenance, this duty devolves on the paternal grandfathers, the nearer of his kin coming before the father. In the absence of a father or paternal grandfathers or in the event of their incapacity, the duty of maintenance devolves on the mother. If the mother is dead or unable to maintain the child, the duty will devolve on maternal grandfathers and the grandmothers and paternal grandmother who are sufficiently wealthy to provide maintenance, giving preference to the nearer of kin over the father. If a number of the grandparents are equal from degree of kinship point of view, the maintenance expenses must be paid by them in equal shares."
As to the children whose father or paternal grandfather has died and a guardian must be appointed for them:
"Article 1218: Guardians will be appointed for the following persons: 1. for minor children not having a special guardians; 2. for insane and immature persons whose insanity or immaturity directly followed their attaining full age and lack special guardian; 3. for insane and immature persons whose insanity or immaturity did not follow directly after attaining full age.
Article 1219: In the case mentioned in the preceding Article in which a guardian must be appointed for their children each of the parents is bound to report the matter to the Public Prosecutor of the district of his residence or the representative of the public prosecutor, and to request him to take necessary actions for the appointment of a guardian.
For preserving properties foe which no trustee has been appointed yet:
Article 1224: Safeguarding and the superintendence of the properties of the minor children, lunatics and immature persons shall be entrusted to the care of the Public Prosecutor so long as no guardian has been appointed for them. The procedure relating to the safeguarding and superintending the properties by the Public Prosecutor shall be designated by virtue of regulations of the Ministry of Justice."
Regarding the minor children residing out of the country:
"Article 1229: The duties and authorities which are prescribed by virtue of the relevant laws and regulations in respect of the intervention of the Public Prosecutors in matters concerning the minor children, lunatics, and immature persons are, so far as these matters concern foreign countries, entrusted to the care of Consular Officers."
The legislator has not deemed some people as competent to be appointed as a guardian:
"Article 1231: The following persons should not be appointed as guardians: 1. those who are themselves under guardianship; 2. those who, by reason of perpetrating a felony or the following misdemeanors have been convicted by a final judgment: theft, abuse of confidence (breach of trust), swindling, embezzlement, rape or immoral acts, offences against children, and fraudulent bankruptcy; 3. those for whom orders of bankruptcy have been issued and whose bankruptcy has not yet been settled; 4. those who are notorious for their immoral acts; 5. a person who either in his own name or in that of his relatives of the first degree has a claim against the person under incapacity."
Act on Right to Custody, approved on 13th July 1986:
"Single Article: where upon the verdict of special civil court or vice-chairman of that court. a person is entrusted with the custody of a child and the father, mother or any other person prevents the verdict to be enforced or refrains from extraditing the child, the court that has issued the verdict shall oblige him/her to extradite the child and non-prevention; if he/she does not obey the order of the court, he/she shall be imprisoned up to the execution of the verdict."

Supporting Women and Children without Guardian, recognize and ensure parental responsibilities for upbringing and development of the children.

1. Procedure of Granting Rights of Guardianship

69. Deciding on the question of guardianship of a child its related issues is considered to be a judicial question. It, thus, ought to be decided by a competent court and according to special laws. In the current law and procedure, in cases of the death of the father and grandfather of the child, the guardianship of the child and the estate of a deceased will be granted to the person whose qualification is judicially ascertained. The procedure is that the applicant, presenting the death certificates, applies the Guardianship Office in the Judiciary and requests to be appointed as the guardian of the child or the estate of a deceased. The Office shall, after the assessing the qualification of the applicant and enlisting the child's/minor's inherited properties, submit the file to the court for proper decision.[18] The court will then consider the question of the qualification of the applicant for being the guardian of the child and will issue the order accordingly.

2. Interim Administrator

70. As per Article 1187 of Civil Code: "If the only natural guardian of a child fails to administer the affairs of his ward owing to absence or imprisonment or any other reason, and he has not appointed anyone else to represent him, the court will appoint provisionally an administrator on the proposal of the Public Prosecutor for taking charge of the assets and other affairs of the ward." Similarly, according to Article 1173 of Civil Code, as amended in 1997, "where the carelessness or immorality of a father or mother under whose custody is the child, endangers the physical safety or ethical wellbeing of the child, the court may take any appropriate decision on the custody of the child on the request of the child's relatives or guardian or head of judicial district. The followings are cases of carelessness or

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"Article 1236: The guardian is bound, before interfering in the matters relating to financial affairs of the person placed under guardianship, to prepare a complete list of the ward's properties and send a copy of same duly signed by himself to the Public Prosecutor in whose district the ward resides, and the Public Prosecutor or his representative should make necessary inquiries with regard to the amount of the properties of the ward."

When the guardian commits a fault:

"Article 1238: The guardian, who fails to safeguard the property of the person placed under guardianship, will be held responsible for the damages resulted from the shortage or destruction of the said property, even if the loss or wasting has not been caused by negligence or excessive use on the part of the guardian."

"Article 1247: The Public Prosecutor may entrust to reliable persons, to a committee, or to an institution, either totally or party, the right of exercising supervision on the affairs relating to the person placed under guardianship. The person, committee or institution appointed for carrying out such a control shall be held responsible for any loss or damages which may be caused to the person placed under guardianship in the case of failure or dishonesty on the part of such person or body."

[18] The completed file by the Office will include the following information/entries before the court decides upon the case:

- Permanent residence of the child/minor;
- Particulars of the child's/minor's and photocopies I.D. Card;
- A comprehensive list of the deceased's bequest, including movable and immovable bequest and specified properties and incomes of the child/minor;
- Occupation and place of work of the deceased before death and the death certificate;
- Results/outcome of the investigations made by the Office on the existence of the grandfather or appointed executor of the will as well as a certified copy of the will;
- Results/outcome of the investigations made by the Office on any of the relatives of the child/minor who is eligible to be their guardian or the applicant.

immorality: 1. Harmful addiction to alcohol, drugs and gambling; 2. being notorious for ethical corruption and prostitution; 3. affliction with mental diseases, determined by the forensic medicine; 4. abuse of the child or forcing him/her in immoral behaviors, such as corruption and prostitution, beggary and smuggling; 5. repeated assault and excessive battery."[19]

71. The procedure of the appointment of the interim administrator starts the person who applies to be entrusted with the interim administration of a child/minor. The application must be filed with the local Guardianship Office of the residence of the child. The Office will process the application and will send the duly completed file to the court for consideration and final decision. The court will issue the order of interim administrator if the conditions are met by the applicant and the required qualifications are ascertained. The order is final, but the continuation of the interim administration depends on the child's convenience. If it is found otherwise, the court may decide to nullify the order and dismiss the interim administrator.

3. Non-separation of Child from Mother in Prison

72. Article 296 of Act on Procedure of Public & Revolutionary Courts in Criminal Matters states: "The breast-feeding child must not be separated from his/her mother who has been sentenced to imprisonment or to be exiled, unless the mother entrusts, by her consent, the child to the father or other relatives."

73. In most cases, the imprisoned mothers prefer to leave their children under the care of own parent, parents of the father of the child or other close relatives. However, in the cases where the child could not live with these relatives or needs to stay with the imprisoned mothers, facilities have been provided to help the mothers to take proper care of their children. For example, for the children over the age of 2 years, the child is admitted in the 24-hour care systems upon a judicial order. The system will provide all the required services for taking care of and educating the child. For the children under the age of 2 years, daycares inside the prisons will assist mothers to take care of their children.

4. Right to Visit the Separated Family

74. The right to visit the child is addressed and ensured in the Iranian Civil Code, whose Article 1174, as mentioned earlier, states: "If the parents of the child do not live in the same house owing to divorce or any other reason, either of the parents who is not in charge of custody of the child has the right to visit the child. Determination of the time and place of visit and other details will be decided by the court if there is any dispute between the parents about them."[20]

D. To guarantee recovery of maintenance (article 27(4))

75. Based on Article 1199 of Civil Code, the responsibility of maintenance of the child lies with the father. On his death or his failure to afford the maintenance, this devolves on the paternal grandfather. In the absence of a father or paternal grandfather or in the event of their incapacity to discharge their responsibility, the duty of maintenance devolves on the mother. If the mother is dead or unable to maintain the child, the duty will devolve on maternal grandfather. Article 1204 of Civil Code defines maintenance as providing

[19] The list is indicative rather than exhaustive.

[20] On the right of either of the parents to visit after divorce and regarding right of mature child to select living with either of the parents, please note the order issued by branch No. 1705 of Tehran Family Court.

dwelling, clothing, food and furniture to the extent of bare necessities and subject to the means of the person who provides the maintenance. Further, Article 1205 stipulates that: "In cases where the person who provides maintenance is absent or refuses to pay maintenance, the court may, when persons entitled to maintenance bring claim, place from the assets of the absentee or the person who has refused the amount of the maintenance, at their own disposal or at the dispose of the supporter(s).

E. Non-deprivation, provisionally or permanently, from family environment or its benefits (art. 20)

76. The Iranian laws foresee cases where it may be in the child's best interests to be removed from his/her parents. However, the relevant governmental and judicial authorities when deciding upon such cases should first seek placement in the child's wider family. They then should look for alternatives.

77. In this regard, Article 1173 of Civil Code, as stated in subparagraph 13-2, indicate cases where the parents are denied of the custody or guardianship of the child for their incompetency in performing parental responsibilities. In such cases a court of law will decide on passing the custody of the child to a member of his/her extended family.

1. Child Fostering and Adoption as Alternatives

78. The alternatives, where there is no competent family member, could be fostering and adoption. The State Social Welfare Organization has yet taken two approaches towards the children lacking effective guardians. Previously, the Organization was taking care of its children in the form of nursery and camping, but its current approach is appointing an administrator (interim administrator) or the children or placing them in quasi-family.

79. There are currently over 20,000 children living under the protection system and care of the State Welfare Organization. They are deprived of having biological families or effective guardians who can take care of them. In special protection plan, developed by the Organization, about 11,000 of these children are placed in foster families. The rest are being taken care of in 450 special social welfare centers of which 200 are state funded.

80. As regards to the question of child adoption, the Civil Code, as the main law, is silent. Consequently, for years the relevant provisions in the Act of 1975 on Protection of Children without Guardian were considered as the governing rules on the questions relating child adoption. However, due to number of legal issues in the said provisions, including the low age for adoption (12 years), lack of necessary guarantees, conflicts with some other laws and regulations, the Judiciary and the State Social Welfare Organization simultaneously decided to study and develop amendments for consideration of the Parliament. The amendments are made in the context of the law on supporting children without guardians.

81. The Judiciary incorporated the question of the children without guardians as part of its Draft Bill on Family Consolidation. In 2007, it decided to address the issue in an independent Bill. It subsequently submitted the question of children without guardians separately. The State Social Welfare Organization has similarly prepared a text on the issue. However, after the consideration by the special drafting Commission of the Government, the content of the proposed text was integrated into the draft bill of the Judiciary. The draft bill which consists of 33 Articles is approved by the Parliament (Islamic Consultative Assembly). It has been then forwarded to the Guardians Council in order to pass the final stages of approval.

82. The Act on Supporting Women (without financial supports) and Children without Guardians was enacted in 1995 in which, also, the children without effective guardians or children who have bad guardians were taken into account.

2. Child Adoption: Rules and Procedures

83. There are many families who apply for adoption of children. Every year, a number of approximately 700 to 1,000 children are entrusted to the applicants; while the number of those applicants waiting for taking over a child is 5 times as much as this figure.

84. There are different problems and issues with regard to child adoption. The main problem is that 85% of the children have bad guardians and only 15% lack guardians. Therefore, about 70% of the children could not be adopted by new families, due to the existence of opposing biological parents. Moreover, because of the unpleasant experiences that they have had in their own family or because of the conditions in which they have grown up, it is sometimes very difficult to find proper families which can adopt these children.[21]

85. The adoption is granted by judicial orders. The judicial practice is that the courts first order a 6-months trial period of guardianship before deciding on the permanent adoption. In the trial period, the court fully supervises the child's life in the new environment. The guardianship is thus of trial nature and there is no legal relation between the child and the adopting family. The procedure is so contemplated to embrace the best interests of the adopted child.

86. After the trial period, the court will decide whether the adopting family is competent enough to be granted permanent custodianship, including being financially viable to support the costs of maintaining, training and education of the child as well as to have sufficient resources to support the adopted child in case where the adopting couple are deceased.

87. The abovementioned rules and regulations do not prevent non-Shiite Iranians to comply with their religious obligation. Article 13 of the Act of 1974 on Protection of Children without Guardian refers to paragraph 3 of Act of 1933 on Permission to Observe Personal Status of Non-Shiite Iranians and explicitly states that the affairs related to adoption of non-Shiite Iranians, shall be considered based on the current regulations of the religion of which the step-father or step-mother is a follower. The judicial and administrative authorities, when considering such cases, should take action according to the obligations of the religion that the step-father or step-mother of the adopted child is practicing.

88. Therefore, the Iranian courts may hear the cases where foreign national children are adopted or foreign nationals who are residing in the Iranian territory are applying for child adoption.[22] The governing law of such cases, upon the circumstances of the case, could be

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[21] To address some concerns over the future financial situation of adopted children, the State Social Welfare Organization (Executive Instruction of No. 800/660 dated 23 May 1988) requires the followings to be done by the adopting family before the adoption license be granted.

a. To transfer one third of the couple's properties to the child in a notary public office;

b. Commitment of the couple transfer one third of their properties to the child after their death through introducing a guarantor in a notary public office, if the couple has no property;

c. Any other assuring means, including transfer of sums of money (opening a bank account) or opening life insurance and saving account and etc. for the child.

[22] In the bilateral judicial agreements in civil matters, if agreed by the other Party, the Iranian side always inserts some Articles to support child adoption. For example, Article 18 of the Agreement concluded between the Islamic Republic of Iran and the Republic of Armenia states:

the abovementioned laws on non-Shiite Iranians' personal status. All the questions relating to personal status, including inheritance, will be also decided according the laws of the country whose nationality the adopting parents possess. In the cases where the adopted child is an Iranian national the laws and regulations of the Islamic Republic of Iran shall prevail.

89. Article 1 of the Act of 1974 on Protection of Children without Guardian and Special Direction (No. 700/88/19301 dated 20th April 2009) of the State Social Welfare Organization on taking care and training the children requires that the couple who apply to adopt a child to be a resident of Iran. Accordingly couples who are "Iranian national and residing in Iran" or "Iranian national and residing abroad" or "foreign national and residing in Iran" may apply for adoption of a child.

90. On what constitutes the "residence" criterion, the courts have often considered the couples to be a resident of Iran, if they have been present in the country at the time of issuing the order of trial guardianship, formal delivery of the child and signing the relevant minutes/papers. According to Article 15 of Act of 1974, however, the person who is entrusted to custody a child should seek the agreement of the local public prosecutor, if he or she wants to take the child out of the country in the trial period.

91. As the implementation of "residence" criterion has created technical problems, the draft Bill on Protection of Children and Adolescents without Guardians has replaced it with the "nationality" criterion. The Bill is yet under deliberation.

3. To Guarantee Non-profiting from Adoption Financially

92. To avoid cases where a child is adopted for subsequent financial gains and to ensure that his/her physical and mental health is maintained, the social workers of the State Social Welfare Organization will examine and properly report on the financial situation of the applicant for child adoption. They should be properly employed with sufficient income. In this regard, they need to provide the relevant proofs, including their approximate monthly

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"In matters related to the guardianship and supervision over the interdicted nationals of the either Contracting Party residing or domiciled in the territory of the other Contracting Party, the laws and regulations of the sovereign government of such nationals shall apply. In case the interdicted person possesses any assets and properties in the territory of the other Contracting Party, the competent authorities of the Party in which these assets and properties are located, shall take necessary measures, according to their laws and regulations, to safeguard the interdicted person's interests and shall, with no delay, inform the competent authority of the other Contracting Party of their measures. The Contracting Party of which the interdicted person is a national, may request the competent authority of the other Contracting Party for the implementation of the affairs related to protecting the interdicted person and properties and assets of the interdicted person, residing or domiciled in the territory of that other Party, and/or whose assets are located there. The other Contracting Party, if accepts the request, shall apply its own laws and regulations."

Article 17 of this Agreement takes into consideration the children without guardian and states:

"Adopting children and assuming supervision over children with no guardian who are nationals of one of the Contracting Parties by a national of the other Contracting Party and its cancellation, shall be subject to the laws and regulations of that Contracting Party of which the child is a national. Deciding on the child adoption and supervision (subject of Para. 1 above) and its cancellation is within the jurisdiction of the competent authorities of the sovereign government of the child.

If it is provided for in the laws of the sovereign government of the Contracting Party of the child to take the view of the child or his/her legal representative or the consent of the relevant governmental organization in order to take above-mentioned decision, the observation of that provision is obligatory.

The provisions of this Article shall not deprive the child from the rights and privileges that he/she is entitled to according to the laws of the sovereign government of his/her guardian."

income and certified copies of title deed or lease contracts of their place of residence. The Organization will also supervise the living situation of the child in the 6-months trial period. The social workers will frequently visit the child and the adopting family in this period. If the couple is found incompetent, for any reason, the court will nullify its previous order. Even if the permanent adoption order is issued by the court, the Social Welfare Organization may request the court to nullify the order when it finds out that the child is under mental, physical or emotional distress.

93. To secure the finical wellbeing of the child, the adopting couples are requested to mutually agree to transfer the title of some parts of their properties.

16. To take measures necessary for protecting and promoting physical, psychological and emotional recovery of children who are victims of neglect, exploitation, abuse, torture or other inhumane treatments or effects of war (arts. 19 and 39)

94. There are number of provisions in the criminal laws of the Islamic Republic of Iran which categorically prohibit neglect, exploitation, abuse, torture or any other inhumane treatments of children on the side of anybody including their parents, family members or guardians. Article 633 of the Islamic Punishment Act, for example, provides that: "Anybody who, in person or by the order of somebody else, abandons a child or a person, who is not capable of protecting himself/herself, in a place without any inhabitants, shall be sentenced to 6 months to 2 years of imprisonment or to a pecuniary punishment of 3,000,000 to 12,000,000 IRR; and in case where that person abandons him/her in an inhabited place, shall be sentenced to half of the above mentioned punishment; in addition to the mentioned sentence, the perpetrator shall be sentenced to, as the case may be, *qisas* (corporal punishment), *dieh* (monetary ransom) or compensation, if his/her act causes injury or death.

95. Article 619 of the same Act states that: "Anybody who bullies or offends the children or women in public places or passages by words or behaviors that are contrary to their dignities shall be sentenced to imprisonment from 2 to 6 months. Article 713 of the Act stipulates that: "Anybody who uses a minor or immature child for beggary or employs some persons to do the work, shall be sentenced to imprisonment from 3 months to 2 years and returning all properties achieved through the mentioned way."

96. The Children and Adolescents Protection Act of 2003 prohibits and prescribe sentences to acts of trafficking, trading and exploiting children or causing physical or mental damage and injury to persons under the age of 18 years. Equally, it holds that denying children of their rights to education or intentionally disregarding or neglecting their mental and physical health and safety shall be subject to imprisonment or pecuniary punishment.[23]

[23] Some provisions of this Act are as follows:
Article 1 – All the persons under the age of 18 years shall be protected by this Act.
Article 2 – Any kind of annoyance and harm to the children and adolescents which cause physical or mental or ethical damage or injury to them and endangers their physical or spiritual health and safety is forbidden.
Article 3 – Any kind of buying, selling, exploitation and employing children for committing illegal acts, including smuggling is forbidden and the perpetrator shall, as the case may be, be sentenced to compensate the inflicted damages, together with imprisonment from 6 months to one year or a pecuniary punishment from 10,000,000 to 20,000,000 IRR.

97. Within the past few years, governmental bodies have taken practical measures to prevent neglect, abuse or any other inhumane treatments of children, and support victims of such acts. The State Social Welfare Organization has, for example, established Social Emergency Hot Line (called 1-2-3) throughout the country in the form of Crisis Intervention Center. These centers have gradually developed expertise and changed into a social emergency initiative that includes crisis intervention services, counseling services and public awareness.

98. Article 86 of the State Fourth Plan of Economic, Social and Cultural Development, approved on 2004, requires the Ministry of Health to develop and implement plans to decrease psychological distresses. In this regard, the Ministry has mainly focused on prevention of domestic violence in families and abuse of children as pillars for improving mental health of the society. Several measures have been taken in this context. First of all, a comprehensive study was carried out to get a better view of the then-existing status of parents-children relationship, prevalence of child abuse and management methods against children mischief. The study covers the period of since 1999.

99. Secondly, In order to prevent reoccurring child abuse and to control physical, psychological and social damages incurred upon the abused children, a specialized department was established in the Ministry of Health to provide psychological support services for the abused children. The department offers its services with the close cooperation of the Child and Adolescent Psychology Team of Tehran University.

G. Periodic review of the treatment provided to the child placed for care (art. 25)

100. There are currently over 444 special care centers are operating throughout the country to help children with special care and their families. 98 of them are offering 24/7 services to children who need continuous special care and their families cannot, for any reasons, support them. A number of 221 of the centers provide daily educational services to mentally disabled children. 113 centers are daily educational centers which are specialized in giving services to physically and sensually disabled and motor handicapped children, including deaf or children with hearing loss and blind or children with low vision. The centers, both public and private, are working under the supervision of the State Social Welfare Organization. The related regulations and procedures require the centers and the staff to constantly monitor the progress made by the children and review their treatments accordingly.

101. There are also about 477 centers in the country which provide 24/7 caring services to children without guardian, of which a number of 35 centers are daycare/nursery and specialized for the children under the age of 6 years. All of these are governmental. In the remaining (governmental and private) centers children are being taken care of in two

Article 4 – Any kind of physical and mental annoyance, torment and torture on the children, as well as intentionally ignoring their mental and physical health and safety, and preventing them from education is prohibited and the perpetrator shall be sentenced to imprisonment from 3 months and one day to 6 months or up to 10,000,000 IRR pecuniary punishments.

Article 5 – child-abuse is a crime of a general nature and doesn't need a complaint by a private plaintiff.

Article 6 – When being informed of the child-abuse cases, all persons, institutes and centers who are responsible for caring and protecting children, are obliged to inform the competent authorities of the case in order to legally prosecute the perpetrator and take necessary decisions. Violation of this obligation shall result in imprisonment for 6 months or a pecuniary punishment of 5,000,000 IRR.

groups of boys and girls and of 6-12 and 12-18 years of age. Some %75 of the later centers are privately owned and managed, but their services are monitored by the Organization.

102. For the purpose of entrusting the permanent custody of the adopted children to the qualified families, as explained earlier, the State Welfare Organization carefully scrutinize the child's situation in the provisional 6 months. Any sign of mistreatment or physical, psychological, mental problem on the side of the child is taken very seriously and may result in bringing to the attention of the court which has rendered the order of the provisional guardianship. The social workers visit the child at least once every two weeks.

103. According to the latest available statistics (2010), a number of 12,500 children, who are currently under the supervision of the Organization, have been delivered to the foster families. A number of 10,000 children are living in residential centers. Each year, about 1,000 children, who are under the responsibility of the Organization, are being adopted by volunteered families.

104. Since 1986, the Ministry of Health has carried out a nationwide plan "Incorporation of Mental Health into Basic Health Care" to collect the relevant information relating to those, including children, who suffer from epilepsy, or behavior disorders or are considered mentally disabled. The plan requires the medical staff involved in giving services to these person and their families to register them and give the families necessary trainings and support to enable them to provide proper care to the affected persons/children.

H. Illicit transfer and non-return of children abroad (art. 11)

105. In this regard, there are laws and bilateral agreements whose numbers have been increased in the recent decade. They deal with the judicial cooperation in child adoption and execution of civil judgments. Besides, the bilateral judicial agreements in criminal matters and extradition, concluded with numerous countries, refer to the prosecution and punishment of the accused or transfer of sentenced persons of all offences, , including child trafficking, pornography. Meanwhile, the Islamic Republic of Iran has taken primary steps to seriously consider accession to the 1980 Convention on the Civil Aspects of the International Child Abduction.

VI. Basic health and welfare

A. The right to life, survival and development (art. 6)

106. The child's right to life and maximum survival and development is recognized in the laws and practice of Iran. Accordingly, the Government of the Islamic Republic of Iran, through its relevant governmental organizations and bodies, has tried to create an atmosphere for each and every child in Iran not only to live or survive but also have a quality life and the chance to grow up and develop. In this regard, particular attentions have been made to children who, because of their disability or personal situation, need special care.

107. According to the latest available statistics, there are about 283,943 disabled children in the country. The Ministry of Education and the State Social Welfare Organization are two main governmental bodies which are in charge of providing care, education and life skills to children with disabilities. The Ministry of Education has, for instance, taken a wide range of measures to ensure that all disabled students to receive proper services. In this regard, it has held training courses to introduce the provisions of the CRC, particularly the rights and needs of disabled students, to their staff and management. It also launched

programs for giving special trainings to disabled students, their parents and the school staff to promote their educational progress. Specific programs have been implemented for pre-elementary school children and their parents. Moreover, between 2005 and 2008 the Ministry managed to reimburse medical and paramedical costs of the disabled students.

Table 2
Number of Disabled Students in Different Educational Institutes/Levels

Educational centers	*Complexes*	*Schools*	*Colleges*	***Total***
58,102	7,841	50,261	113,904	**230,008**

108. Along with offering special education/trainings to disabled children and 24/7 care to those whose families are not able to take care of them, the State Social Welfare Organization has taken broader measures by adopting multi-prone strategy in providing services to disabled children, their parents or family members. It has developed executive plans, programs, and assessments systems and supervisions policies to ensure that its services are in conformity with the needs of the disabled children and they receive the required services properly and promptly. In this regard, several studies have been made, numerous executive by-laws have been issued and social and professional training courses were held for staff and management.

109. The trainings and rehabilitations, offered by the Organization, cover a wide range of activities. They aim at preparing the disabled children to be able to survive in the society and be as independent as possible. Accordingly, the Organization provides services such as occupational-therapy, physiotherapy and speech-therapy to help disabled children to improve their health and at the same time to overcome the limitations imposed on them because of their disability. These add to the medical services that the Organization offers in its special care centers. There are in-house medical specialists, psychiatrists, nurses and nurse assistants in all centers all the day round. According to the latest available statistics, a total number of 21,715 disabled children are benefiting from services provided by the Organization, of which 16,393 children are admitted in daily special care centers. The following table shows the distribution of these children according to their disability.

Table 3
Distribution of Disabled Children under the Care of the State Social Welfare Organization

Mentally Disabled (Daily Centers)	*Physically or Sensually Disabled and Motor Handicapped (Daily Centers)*	*Autism (Daily Centers)*	*Mentally Disabled (24/7 Centers)*
11,587	4,199	607	5,322

110. The Organization specifically prepared a supervision and assessment system to optimize the provision of the services to the mentally disabled children. In this regard, it has collected the information and statistics to set up a data base concerning the mentally disabled children and their special needs. It has had the privilege of cooperation from some leading Iranian universities and scientific centers in preparing educational programs and plans needed by the experts who are in charge with the training and rehabilitation of the mentally disabled children. The Organization has also contacted credible international organizations, active in the field of disabled organizations, to exchange views and to share experiences.

111. Based on its general policy, the State Social Welfare Organization has spared no efforts to promote the capacity of parents and families of the disabled children to enable them to take care of these children at homes. In this line, it has implemented programs to ease the pressures on the families by providing services at their home, giving them special trainings, assisting them in solving the mental and emotional problems or counseling them and providing them with financial supports, particularly to cover the extra costs for nutrition, education and rehabilitation needs of the disabled children. For the families who have more than one mentally disabled child, the organization covers expenses of necessary counseling and genetic tests.

Table 4
Disability Prevention Training Plan between 2005-2008

		Operation year			
	Common unit	*2005*	*2006*	*2007*	*2008*
Number of those trained to prevent disabilities and social damages	person	262,891	457,206	601,348	641,993
Training Courses in Urban Areas	percentage	38	35	35	35
Training Courses in Rural Areas	percentage	62	65	65	65

112. Each year, over 3,000 staff, including managers, social workers, instructors, trainers and psychologists, of the 24/7 special care centers are introduced to the latest methods of care for children with special needs in the form of vocational training courses. In addition, a modular associate's degree course has been launched in the University of Applied Science and Technology to train the Organizations staff as home instructors for children and adolescents.

113. The State Social Welfare Organization is also supervising the activities and services provided by daycares, nurseries and pre-school centers throughout the country. Currently, a total number of 571,014 children, including 340,327 children in urban areas and 230,687 children in rural areas benefit from daycare services, nurseries and pre-schools.[24] These are normal children but the Organization supervises the quality of the services they receive and has the responsibility to ensure that the services meet the development needs of the children.

114. In an effort to make the urban areas and city environment friendlier to children, the Tehran Municipality has initiated several programs to promote the public environmental conditions for children. These include measures like standardization and adaptation of the urban places to the needs of children, providing safer playgrounds, constructing more green parks, increasing the safety and security of the public passages and transportation for children, and providing traffic and health educations to school children (in cooperation with the Ministry of Education). Similar programs have also been carried out by the municipalities of some other large cities.

115. In a different initiative, the Tehran Municipality has decided to establish Toy Houses in the all districts/boroughs of the City. There are currently over 230 Toy Houses throughout the city where children of different ages can play with all provided toys and devices, appropriate for their age, in a safe and secure environment. The relational behind the initiative was to remove some parts of the restrictions and tensions that children usually face in contemporary modern urban areas, by providing them opportunity to relax, to play

[24] This figure approximately constitutes 7% of the whole children population of the country.

with the children of their own age, and to promote their communication as well as life skills.

B. Right to the highest attainable standard of health and rehabilitative health (art. 24)

116. There are several organizations in Iran which have duty to provide health services to children and to ensure that no child is deprived of such services. The Ministry of Health, the State Social Welfare Organization, the Ministry of Welfare and Social Affairs, the Ministry of Education and the Red Crescent Society are the main bodies which deal with various aspects of the question.

117. The Ministry of Education, for instance, addresses one of the fundamental pillars of ensuring the right to health, namely having proper health education. In this regard, that Ministry in cooperation of the Ministry of Health has held different training courses, including vocational courses for its staff and general courses for students to promote their knowledge on the health related issues. It is understood that the health education would contribute to the preventive side of continuum of the health system.

118. As a part of general plan to eliminate poverty as a root cause of deprivation of health, the Ministry of Welfare and Social Affairs has taken measures, including studying the ramifications of the major economic-social changes (inflation, food price, budget and programming system, ...) on child poverty. The results are used to advise authorities and policy makers to make informed decisions where their decisions may bring about drastic economic-social changes. The Ministry has also concluded an agreement with UNICEF to execute the Child Poverty Project (since 2009). The project includes a date base for social indexes connecting children (education, shelter, access to health services, and access to insurance ...).

119. The Ministry of Health is primarily responsible for the ensuring proper health services to every individual of the society.[25] In the past five years the Ministry has spent over 3,060 million IRR in formulating national strategy on health related issues for children of different ages, piloting and assessing new programs. This figure excludes regular budgets of the hospitals, clinical centers or day clinics or any other institutions that provide medical treatments to patients. Their running costs consumes a large portion of the annual budget of the Ministry and offer free or low cost services to all residents of Iran, irrespective of their age or any other grounds of discrimination. Different programs and projects have been implemented by the Ministry to improve the health status of the society including children. Some of them are explained below.

120. In 2006, the Ministry of Health prepared the guidelines for child treatment, specialized for training the health staff that has been reached the pilot stage. These guidelines suggest the manner of interaction and communication with the child and adolescent in a hospital and health care environment and teach some skills to the personnel of hospitals who are in close contact with the children.

121. Since 1998, the Ministry has executed a plan called; "Psychological-social Protection Plan in Disasters and Unexpected Events". It aims, *inter alia*, at enhancing the role that teachers can play at the time of natural disasters to ease the psychological and emotional distress of student children. In this regard, educational packages have been

[25] Its network for health-treatment services covers almost all urban areas and more than 95% of rural areas of the whole country.

prepared to target either a larger audience. The package is also used in training courses and workshops, held by the medical universities throughout the country, to train teachers.

122. The Ministry of Health is also responsible to issue "health certificates" for the workers and the businesses. It is also responsible to ensure that health related aspects of the businesses and work places are suitable for those who work therein. In cooperation and coordination with the Ministry of Labour, the Minister of Health do not issue such certificates for children under the age of 18 to be employed in public places, dangerous/hard works and food preparation and distribution centers to protect them and prevent their employment in unsuitable businesses.

123. In a national plan to curb the rate of birth defects and genetic disorders, the Ministry has launched initiatives to ensure access to social genetic services for all members of the society who need such services. By formulating proper instructions, setting genetic advisory teams in the health-treatment centers and training specialists on the subject, it pianed and prepared necessary infrastructures as well as personnel to provide social genetics advises and genetics diagnosis, including early diagnosis or advice to prevent genetic disorders. The program includes, prevention of Beta Thalassemia Major, controlling Down syndrome, Sickle Cell and Hemophilia, prevention of Phenylketonuria, controlling SPINA BIFIDA and other congenitally disorders and decreasing the G6PD effects. It also includes comprehensive screening of children and infants' congenital diseases.

124. The Ministry of Health has established close cooperation with ministries and organizations active in child related areas. For example, The Ministry in cooperation with the State Social Welfare Organization[26] executed the Pregnant Women Nutrition Improvement Plan in which the pregnant women were advised on their diets and, if so required, financially supported to get proper nutrition. In 2008, the plan was transferred to the Imam Khomeini Relief Foundation to be continued. The Foundation is now executing the plan on a different program, called Assisting Women and Girls under the Protection of the Foundation. The said program aims at promoting the physical and mental health of the women and girls who are under the protection (support) scheme of the Foundation. It includes overall health screening and examination of the women and paying their medical costs, if any health problem is diagnosed.

125. To improve health situation of children and their families, the State Welfare Organization has allocated funds to financially support them. For example, while the expenses relating to the education and health needs of the fostered children are fully covered by the Organization, monthly relief allowance is also paid to foster families to cover extra expenses of the fostered children. Similarly, monthly payment is paid to families or householder women who are under the protection scheme of the Organization. This has considerably improved the living and health standards of children living in these families.

126. To benefit from the international experience and resources, the Organization has established strong connections and relations with some international specialized agencies, such as UNICEF, WHO, UNHCR, UNDP, UNFPA and UNODC. It has executed several joint projects with these agencies. For example, the Organization has run a joint project with UNHCR to support and empower the disabled Afghan nationals residing in Varamin City, Afghan children residing in Rafsanjan. They also held a joint workshop on life without violence for Afghan refugees in Moshiri Center — Tehran. The Organization

[26] Apart from the medical needs, which fall within the responsibility of the Ministry of Health, disabled children have other special needs. The State Social Welfare Organization, as explained earlier, is responsible to deal with such needs, including rehabilitative heath needs. It has also to ensure that such children have access to nutritious foods and clean drinking water all over the country.

facilitated the joint project of WFP and the Help Institute on improving the nutrition status of Afghan refugees, including their children.

127. The Organization has launched field researches, with cooperation of UNODC, to study the question of drug abuse, particularly Crack and Amphetamine. It has also jointly held seminars on decreasing drug demands and training workshops for Afghan and Pakistani experts on the issue of drug demand. Series of programs were jointly carried out with UNICEF as well. These include the execution of the project of "Good Parents" in Sistan and Baluchistan Province, the project of preparing a Code of Conduct of methods of treating children in the social welfare centers (through holding more than 15 specialized sessions), the project of "Prevention of Violence against Children" as well as holding several training workshops in order to prepare the standards of protection and caring the children in crisis situation, and the project on curbing the dangers of land mines.

128. The Iranian Red Crescent Society has hold series of training courses for members of the Society as well as the ordinary people. In this regards the following courses can be highlighted:

- Training course of "Nutrition and Health Points" for 1,100 pregnant and breastfeeding mothers in Chahar Mahal and Bakhtiari Province with a cost amounting to 35.8 million IRR;
- Courses on prevention of common seasonal epidemics/diseases for pre-school children;
- Courses on First Aid for children;
- Training workshops for homemaker mothers on fortifying immunization of homes and children's living places against earthquake;
- Countrywide earthquake drills in the nurseries for over 21,000 children of 5-7 years of old;
- Courses in the nurseries for more than 21,000 children of 5-7 years of old on the safety issues;
- Training courses for students in about 2,000 primary schools to familiarize them with safety issues in schools and streets. In this regard, for example, courses were held in Khorasan Province for Afghan refugee and migrant families, including their children.[27]

129. The Ministry of Health has paid particular attentions to the nutrition situation of children. In this regard, it studies and identified the status of micronutrients of zinc, iron and vitamins A and D in eleven geographical areas, set up over 10 thousands of health centers and 3,200 health-treatment centers to, *inter alia*, monitor and promote nutrition status of children in need (Participation-Protection Program). The minimum value of foodstuff package provided to the children under this program amounts to 200,000 IR. There are also currently about 47 thousands children under another nutrition scheme, which is jointly executed by the Ministry and Imam Khomeini Relief Foundation. A similar the nutritional support program is currently under way with the cooperation of Alavi Foundation for pregnant women and nursing mothers of needful families.

130. The Ministry of Education has similarly taken a wide range of measures to improve nutrition status of school children. One of the most important one was to provide school

[27] In 2006: 13,075 women in 1,064 courses, 1,631 children in 1,098 courses; In 2007: 15,203 women in 957 courses, 15,700 children in 857 courses; In 2008: 7,854 women, 10,285 children; In 2009: 10,154 women, 900 children.

children with free milk and enriched bread. The table below illustrates the quantity of milk distributed, the budget spent and the children covered by the Ministry from the year 2000 to 2010:

Academic year	*Covered students and personnel*	*Budget*	*Per capita charge*	*Increase of per capita sum*	*Development percentage*
2000-2001	420,000	180,000,000	428		
2001-2002	1,200,000	5,000,000,000	4,166	4,820,000,000	2677%
2002-2003	2,900,000	11,500,000,000	517	6,500,000,000	130%
2003-2004	6,000,000	37,200,000,000	6,200	25,700,000,000	223%
2004-2005	8,000,000	63,000,000,000	7,875	25,800,000,000	69%
2005-2006	10,700,000	85,000,000,000	7,943	22,000,000,000	34%
2006-2007	12,500,000	113,700,000,000	9,096	28,700,000,000	33%
2007-2008	10,895,000	129,000,000,000	11,840	15,300,000,000	13%
2008-2009	11,500,000	148,820,000,000	12,940	19,820,000,000	15.36%
2009-2010	13,000,000	160,900,100,000	12,307	12,080,000,000	8%

131. Since during the maturity age, the need for some nutritional materials increases due to the growth speed and particularly in adolescent girls the excretion of body iron during the menstruation may result in shortage of iron,[28] the Ministry of Education, with coordination of the Ministry of Health, distributes Ferro tablets among all the high school girl students (either public or private schools).

132. All the students, nationwide, as well as the school staff receive free 250 cc milk twice a week. The students in cities, additionally, receive bread enriched with special minerals, while students in rural or unprivileged areas receive nutritional snacks and proper clothes. The Ministry also provides free food materials, three times a week, for students of boarding schools, teacher-training centers and technical-vocational colleges.

1. Measures Taken to Decrease Mortality of Infants and Children under the Age of 5

133. The Ministry of Health has taken a wide range of measures to decrease the mortality rate of children under the age of five. These include implementing comprehensive plans to preserve and promote health status of children, executing a nationwide program to monitor health services provided to prenatal, neonatal and infants as well as conducting comparative studies of the mortality causes of children under the age of 6. In this regard, the Ministry launched, for instance, a comprehensive plan called: "Children Health Securing, Preserving and Promoting Plan" in which it has taken measures to strengthen and develop monitoring system of the health status of prenatal, neonatal and infants, to encourage mothers to breastfeed, to increase the awareness and functionality of the families and the general members of the society to give a better care to infants and children according their needs. One of the goals of the Plan is to decrease the mortality rate of children under the age of 6 through controlling the spread of contagious diseases among children, prevention of disability and reduction of disability effects on children.

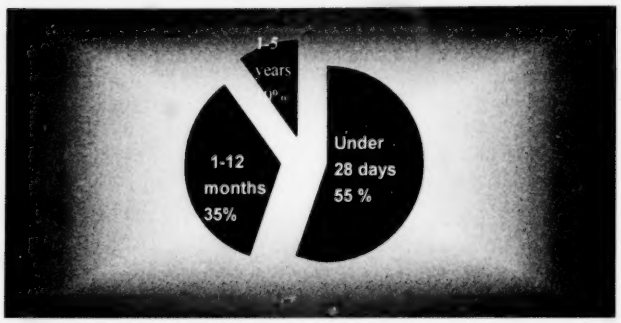
[28] Iron shortage lessens the mental ability and learning, and causes fatigue, fainting, weakness and affliction by diseases.

Table 5
Under Five Mortality Rate per 1000 of Birth in 2004 to 2008[29]

Title	*2004*	*2006*	*2008*
Prenatal	15.5	13.1	12.8
Infants (under 1 year old)	22.2	19	18.8
Children under 5 years old	26.6	22.8	22.5

134. For children under the age of 12 months, the Ministry has established a specific plan in which the Iranian Prenatal Mortality Surveillance System was set up to receive the reports concerning the cases and causes of any single incident of neonatal, prenatal and infant mortality. It also includes special programs and trainings prenatal resuscitation and kangaroo mother care.

Figure 1
Distribution of Mortality of Children of 0-5 years old



135. The Ministry of Health has also initiated a combined and coordinated caring system in which measures have been taken to encourage mothers to breastfeed,[30] to improve nutrition of infants, to monitor their development, to decrease life/health threatening conditions, to give vaccination and to screen infants with vision and hearing disorders in order to provide them with the necessary treatment, care or complementary assistance.

136. The following two diagrams indicate the mortality causes of children between 1 to 59 months. They are presented according to the ICD10 classification. With a rate of 23.4%, the Congenital and chromosomal disorders were the leading causes of mortality in 2008. It shows a considerable increase of 5%, in comparison with the rate in 2007. The Ministry's national plan to provide social genetic services and genetic advices to all members of the society and to set genetic advisory teams in the health- treatment centers are part of the general program designed to curd these causes child mortality.

[29] Annex V illustrates the result of an independent survey made by the Ministry of Health in 2010 on the mortality rate in children under 5 years old.

[30] See Annex VI for detailed information of the rate of breastfeeding for children under 2 years old.

Figure 2
Proportionate distribution of 1-59 months old children mortality on the basis of cause in 2008

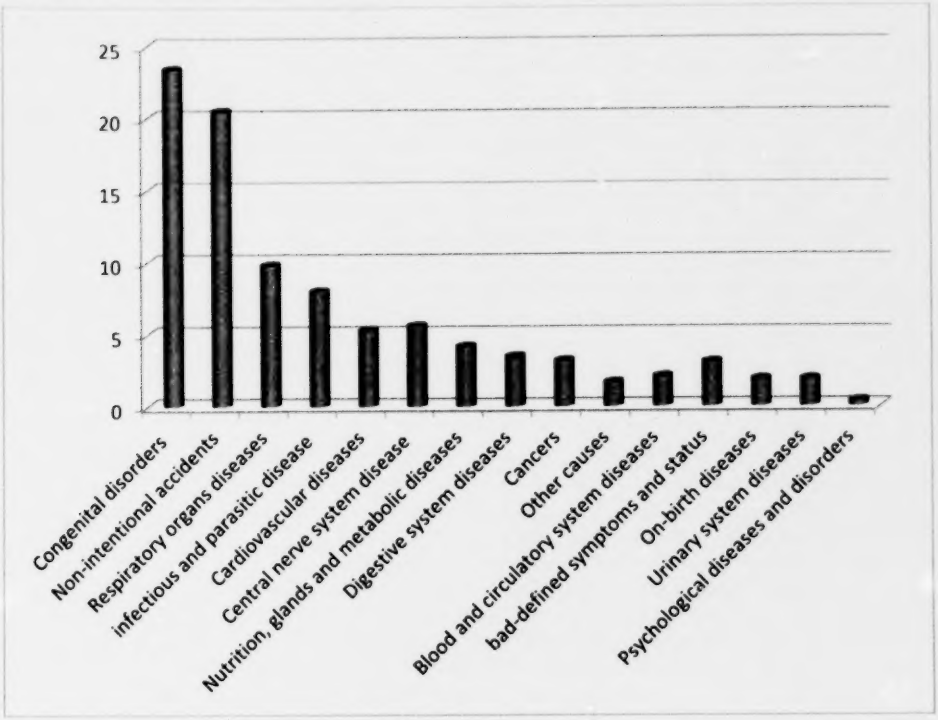
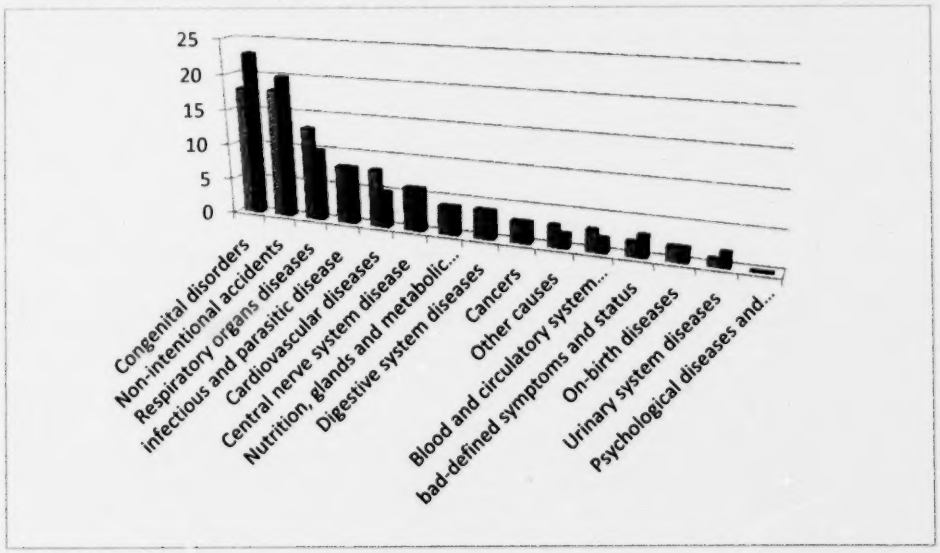


Figure 3
Proportionate Distribution of 1-59 Months Old Children mortality, Based on the Cause (2007-2008)



2. Measures Adopted to Promote Health Information and Education of HIV/AIDS

137. In order to control HIV, the Islamic Republic of Iran has prepared a nationwide strategic program with the cooperation of all relevant organizations and bodies. These organizations include the State Social Welfare Organization, State Prisons Organization, Red Crescent Society, Anti-Drugs Headquarters, Ministry of Education, and Ministry of Health. The program intends, *inter alia*, to address opportunistic infections, anti-virus treatments, care and protection of the afflicted/sick persons and their families, the HIV/Aids effects, discrimination and gender inequality. Children without guardians and vulnerable children are of the main target groups of this program to receive social protection and preventive services.

138. There is also a comprehensive plan in the health-treatment centers to prevent the transfer of HIV infection from mothers to children. The plan requires the centers to provide necessary advice and counseling to mothers, take preventive measures and treatments prior to and during the pregnancy, take appropriate preventive measures to decrease the risk of infection transfer at the time of delivery, as well as breastfeeding. All of these services should be free of charge. There are currently so-called triangular clinics to take care of HIV/AIDS patients.[31]

139. In 2006, the State Social Security Organization established the Committee on Prevention and Control of AIDS to provide financial and social supports to affected persons and to hold special training sessions for those under the special protection system of the Organization, including the disabled, the elderly, street children and addicts afflicted by HIV. The Committee takes three main approaches in its trainings: 1) Peer Education, 2) Harm Reduction, and 3) Positive Social Support and Prevention. It intends to reduce also financial and social supports to and tries to control AIDS by taking such positive preventive approaches. Since 2005, the Committee has held numerous workshops, trained at least 1,300 peer teachers to give proper preventive education to persons with high-risk behavior, educated over 8,000 of such persons through the peer teachers, trained and prepared over 80 specialists to give advices and perform HIV optional tests (VCT), perform VCT to over 3,750 individuals with high-risk behavior and taught them of healthy sexual behaviors. Part of those individuals who received these services were children.

140. The State Social Security Organization has also set up care centers called, Health Houses, to provide necessary services to those infected persons who are under the special protection services of the Organization. The following table indicates the number of the centers and their clients up to 2008.

Table 6
Health Houses from 2005 to 2008

		Operation year			
Title	*Unit*	*2005*	*2006*	*2007*	*2008*
Health Houses	Center	29	30	30	30
Persons Admitted	Persons	784	516	498	551

[31] The triangular clinics deal with three high risk and frequently related health problems: AIDS, addiction and STI. The clinics may in near future provide medical care and treatment to persons infected by C Hepatitis. At the moment, they only give vaccination against B Hepatitis to those persons.

141. It worth mentioning that public and private schools are not allowed denying or depriving children and school students afflicted or affected by HIV of education.

C. Social security and special childcare facilities and services (art. 26)

142. Through a new and creative program, called the Plan for Honoring Orphans, far reaching steps have been taken to protect and support children without guardians or financial supports. It contemplates mechanisms for identification and providing financial supports for those children, while fully observing the confidentiality requirements in order not to compromise their dignity. It identifies the children without guardians through public notice, while at same time it takes appropriate measures to ensure that their identities, particulars and addresses are duly preserved. The Plan then provides them with monthly allowance.

143. The required fund is collected from voluntary commitments/donations made by public supporters and patrons who make their donations to an inter-mediatory organization, called Imam Khomeini Relief Foundation. The identity of the beneficiaries is not disclosed to any donors or supporters. In addition to such financial aids, in cases where the orphan has a legal guardian (who is considered by the relevant authorizes to be morally and mentally qualified but has financial problems in supporting the child) the Imam Khomeini Relief Foundation has to report regularly to the guardian of the latest status of the granted financial aids and the progress in social, educational and emotional status of the child. The Plan is all carried out under the supervision and responsibility of the Foundation.

144. In a general and countrywide scheme, the Imam Khomeini Relief Foundation identifies and assesses the needs of the children who are without guardians or coming from underprivileged families. It, accordingly, provides them with necessary services, including monthly financial allowances, and covering the costs of their education, medical treatments and clinical services. The service will be provided for girls up to their marriage and for boys up to the age of 18. In cases where they are studying the service will continue up to the age of 25, and in cases of illness or physical disability, without any age limitation. For children who lost their fathers, they would receive the financial allowances and other protection through their mothers.[32] The eligible children should not necessarily be from the families which are already under the cover of the Foundation.

145. Similarly, the Ministry of Welfare and Social Affairs has funded the Plan for Social Insurance of Rural and Nomad Householder Women since 2007. The plan which is carried out with the cooperation of Villagers and Nomadic Social Insurance Fund aims at improving economic situation and the living standards of families of householder women and the young girls without guardians. At present, an amount of 660,000 IRR is annually paid, by the Ministry, to the Fund to keep the Insurance scheme running.

146. For supporting less–developed regions, the State Center for Developing Rural and Less-Developed Regions has been established in 1989. Since its establishment, it has provided different services, directly or indirectly, to the children residing at less–developed regions whose families cannot support them properly or because of the geographical remoteness of their region they are deprived of necessary facilities.

[32] The Foundation provides similar services to children who have fathers with non-Iranian nationality and their mothers are under protection system of the Foundation.

147. Apart from undertaking fundamental activities to improve living standards of such less-developed regions,[33] the Center has taken immediate actions to issue the medical insurance policies for the whole population of such regions, to construct health centers and health–treatment center, to provide general practitioners (family physicians), to appoint nurse assistants and midwifes. There are currently over 17,000 health centers, 2,400 health–treatment centers, 5,500 physicians and 4,500 midwifes working in these regions, offering free health and treatment services. These services have resulted in improvement of the general health in the country, considerable decrease in the child mortalities and increase of the life expectancy. Undoubtedly, the above mentioned activities, directly or indirectly, improve the living standards and condition of children living in such areas.

Table 7
List of Executed Projects in Less-Developed Regions within 1990-2009

Title	*Budget (Million IRR)*	*Number of Projects*
Drinkable water	3,490,585	9,192
Construction of roads and bridges and to asphalt rural roads	6,826,363	7,025
Rural daily schools	1,137,567	9,627
Rural boarding schools	212,191	436
To supply electricity	586,200	4,674
To improve and asphalt the village passages	907,871	1,469
Health places (health centers)	241,052	3,824
Total	**13,401,829**	**36,247**
Others	815,495	7,261
Total	**14,217,324**	**43,508**

148. Other ministries and governmental bodies have carried out programs to support children and families living in unprivileged areas, including rural areas or margins of the cities. In this regard, the Ministry of Interior, appointed executive teams in several unprivileged regions of the courtly (such as Sarbaz, Khash, Nikshahr and Chabahar) to take appropriate measures to ensure that the rights of the children living in these areas are protected and they enjoy the necessary living standards. The teams consist of the representatives of Governor's Office, Deputy Governor's Office, Social Welfare Organization, Judiciary, Imam Khomeini Relief Foundation, Municipality, Ministry of Education, and City Council. With the assistance of UNICEF seven training workshops on child rights protection have been organized to familiarize the members of the teams with the requirements of the Convention.

149. The Institute for Intellectual Development of Children and Young Adults, affiliated to the Ministry of Education, extended its services to about 2,000 geographically remote villages by using 53 mobile Cultural and Artistic Centers or postal services. It also organizes regular art and literary competitions for children living in villages to open up opportunities to discover their talents and develop their abilities.

[33] These may include, *inter alia*, development of required infrastructure for supplying safe drinking water, construction or improvement of access roads (graveled or asphalt), supplying electricity and construction of schools (primary, junior high school, high school and boarding schools.

150. The Ministry of Welfare and Social Security has taken steps to cover more children of pre-school age to be admitted in nurseries. Accordingly, it assisted financially and otherwise nurseries to be established in rural regions or unprivileged areas. Currently, over 14 thousands nurseries are running nationwide, of which about 7,000 is located in rural regions or unprivileged areas.

151. The Ministry has also launched plan for adolescents living in suburbia or unprivileged areas. It is called "Empowering Adolescents of Suburban and Vulnerable Regions" and aims at training life skills to these children. Individuals who intend and apply to open training centers under this Plan will receive financial aids in gratis. Similar aids will also be paid to those applying for nurseries and daycares in such areas.

152. In a different program, the Tehran Municipality has made an initiative to provide free medical treatment and health services to working children in Tehran. This is to support children (between the ages of 16-18) who, for any reason, have to work.

VII. Education, Leisure and Cultural Activities

A. Educational activities and right to education and equal opportunity (art. 28)

1. Compulsory Free Schooling

153. Article 43 of the Constitution of the Islamic Republic of Iran considers "education" as a basic necessity for all citizens. Accordingly, Articles 3 of the Constitution calls the government/ administration for providing "free education ... for everyone at all levels, and the facilitation and expansion of higher education". In this regard, Article 30 requires the government to "provide all citizens with free education up to secondary school".

154. The fulfillment of these requirements falls primarily under the responsibility of the Ministry of Education. Accordingly, it is obliged to identify and admit, in whatsoever appropriate, all of children eligible to education. Based on the latest available statistics, approximately 1% of the eligible children are not covered by the Ministry since they are of special needs and conditions. They have to study in special schools. All schools are required to prepare the necessary conditions and facilities so that no student is deprived of education. In cases where parents refrain from sending their children to schools, the schools must take appropriate steps to make it possible to the children to attend the schools. In this regard, the 2005 Executive Directive (No. H22917T/27963) of the Board of Ministers requires the Ministry of Education has to introduce parents/legal guardians, who deprive their children from education, to competent judicial authorities.[34]

155. Article 52 of the Act of 2004 on the fourth national development plan requires the administration to ensure that the compulsory basic education is extended to also include the junior high school level. In this regard, the Ministry of Education, prepared the necessary basis for full access to the free and obligatory education up to that level.

156. The Ministry of Education has taken measures to cover as many students as possible, and to improve their educational performance. In this regard, initiatives have been made to expand the coverage of education system and to decrease the rates of drop-outs and failures.[35] It has, for instance, tried to encourage students not to drop out, to attend schools

[34] At lease about 55 parents have since been referred to the judicial authorities.

[35] Most cases of drop-outs and failures occur in the first grade of each level. The rate of failure/re-education in elementary level (1st and 5th grades) is higher than the others. However, as the statistics

regularly and refrain, as much as possible, from abstention. In this regard, the regulations require schools' managements to encourage, by appropriate means and approved by the council/board of the schools, active participation of all students in all colloquium or extra colloquium programs, including training, educational and cultural camps.

157. Based on the provisions of different acts on State Economic, Social and Cultural Development Programs, the Ministry of Education has taken measure to cover more children and to ensure that all children have access to the formal education system. In this regard, it has prohibited primary schools to expel student, for any reasons, taken steps to prevent dropouts in all educational levels and implemented the qualitative-descriptive assessment system. Besides, in order to cover more children/students, including those who have stopped schooling for a reason (like dismissal, dropout or illness) the Ministry has established an institute to cover them through distance education. At least a number of 75,215 children have been so far taught by the Distant Education Institute at high school level. These measures have considerably increased the chance for children to get formal education in all situations and circumstances. An independent survey made by the Ministry of Health in 2010 indicates that over 90% of working children are also receiving educations (see Annex VII).

158. The Literacy Movement, which is an organization affiliated to the Ministry of Education to eradicate illiteracy in the country by providing basic compulsory education to all individuals irrespective of their age, has also implemented programs nationwide. Its service receivers are not necessarily adults but might be children as well. According to the available existing statistics, from 1985 to 1999, the Literacy Movement was present and active in arduous villages and places where it was not possible to the Ministry of Education to provide services. It provided basic education to at least 1,598,504 persons of 6-10 years of old, of which a number of 1,329,320 students have received certificate for completion of different grades of primary course.

159. The Ministry of Education, with the close cooperation of the managements of the Juvenile Correction Centers and voluntary support of some non-governmental organizations, has effectively expanded its educational services to the children who are in the custody of such correction centers. The Children, accordingly receive formal education at every level; elementary, junior high school, high school and technical high school as well as courses by the Literacy Movement. The education, based on the conditions, may be offered in actual classes or distance learning. All children are admitted to schools, upon their admission to the Centers. In cases where they are released prior to the termination of the academic year, they will be immediately introduced to local Education Departments/relevant schools to avoid any interruption in their study. The following table indicates the course completion or academic certificates received by the children in the Tehran Juvenile Correction Center based in the years 2004 to 2008:

	Type of the diploma issued	*Number*
1	Literacy movement	225

show, the rate of failures in elementary level has dropped considerable from %7 to %4 from the year 2000 to 2006. This is expected to even further decrease, due to the introduction of the descriptive–qualitative assessment. The highest rate of failure/re-education in 1st to 5th grades of elementary level, during the consideration years, has been reported in Sistan and Baluchistan Province.
Also, the rate of drop-outs in different grades of elementary level has descended. It has decreased from 3.28 to 1.47 in 1st grade, from 1.84 to 0.67 in 2nd grade, from 1.47 to 0.73 in 3rd grade, from 1.78 to 0.75 in 4th grade and from 4.22 to 1.73 in 5th grade of elementary level.
According to the latest available statistics, the rate of dropouts for the 1st grade of junior high school is approximately %4.93. It is %3.54 for the 2nd grade of junior high school.

	Type of the diploma issued	*Number*
2	Elementary school	175
3	Junior high school	275
4	High school	110

160. The Ministry of Education has recently replaced the descriptive–quantitative assessment plan with the descriptive–qualitative assessment plan from the beginning of the academic year 2009-2010 and has eliminated the previous plan from the State education system as of the last year. The main objectives of the plan are 1) to promote the psychological and mental health level and decrease undesirable anxiety by decreasing the role of the final assessment of a student, and 2) to amend, correct, improve and promote the teaching–learning process in the class, school and after school programs.

161. With the aim of covering all children living in geographically remote areas, and scatted or under-populated villages, and since it was not possible to establish high schools in each and every villages, the Ministry of Education has carried out several different plans. First of all, it established schools in central villages and provided free transportation for students. There are currently over 725 all-boys high schools and over 729 all-girls high schools operating in central villages, covering respectively 53,098 and 50,161 students. Secondly, it set up dormitories to accommodate such students. There are currently about 35 dormitories for male students and 22 for female students, accommodating respectively 2,428 and 3,185 students. Thirdly it established boarding high schools and boarding technical schools.

162. A number of 1,266 boarding high schools have been established in geographically remote areas throughout the country to provide students living in scattered and under-populated villages with an opportunity to study at high- school level. In 2009 over 168,931 students were studying in these boarding schools. Such schools offer the students colloquium or extra colloquium education, appropriate to their social, cultural or geographical conditions. Similarly, in 2009 there were at least 1,241 boarding (junior high) schools covering above 173,899 students living in rural or unprivileged areas.[36]

163. The above mentioned figures exclude public technical high schools, which offer the students technical education, such as agricultural engineering. The agricultural technical schools usually use the facilities and resources of the Ministry of Agriculture along with those of the Ministry of Education. According to the available statistics of the year 2009, at least 63,901 students were studying in the boarding technical-vocational and work-knowledge schools.

164. The Ministry of Education has also taken measures to improve the educational performance of the students living in villages and unprivileged regions. In this regard, it has established over 360 (186 for boys and 174 for girls) special high schools for talented students (186 for boys and 174 for girls). There are also about 412 special junior high schools, where, at least, 83,628 talented pre-high school students are studying.[37]

165. The Ministry has also provided supplementary classes as well as summer courses for such students to further strengthen their educational performance. Some 275 research

[36] In 1976, only some 9 boarding schools, covering 1,288 students, were operating throughout the country to offer education to the students living in scattered and under-populated villages. The figure has increased drastically in the past years.

[37] This is based on the statistics collected in 2009. It shows a sharp increase in the number of such schools. In 1987 the total number of these schools throughout the country was only 12.

centers give also these talented students to do laboratory studies, researches or innovations. These are part of general measures to prevent or alleviate any possible educational gaps between students in urban and rural areas.

166. The Iranian Red Crescent Society established its first boarding school in 1990 in Pavey to provide education to students living in unprivileged urban areas and distant rural regions. Since then another 15 schools have also been established and over 33 thousands of students have been covered.[38] These boarding schools not only provide formal education, but also give general rescue and first aid training services to young adults in such regions.[39] The academic performance of the students educated in these boarding schools has been outstanding. Over 85% of them are admitted to universities and higher education institutes each year.

167. The Imam Khomeini Relief Foundation, as protective organization, covers, *inter alia*, children with bad/incapable guardian or without guardian. The Foundation has set up dormitories to accommodate to protect these children and provide them with proper support to be able to continue their education. In 2010 there were over 7,000 children using these dorms and the services offered therein. The Foundation has also concluded agreements with interested organizations to use their dormitories of other accommodation facilities for the children under the protection of the Foundation.

168. The Foundation financially assists the children under its protection system to be able to bear the educational expenses. It pays them special allowance, reimburses their commutation expenses and covers their costs for academic books and stationery.

169. The Foundation provides nationwide, regional and provincial camps for the protected students of junior high school and high school levels as well as training classes, technical–vocational courses and recreational programs. In 2010, over 30 thousands joined the camps and about 120 thousands attended the classes and courses. The number of the covered students throughout the country in academic year 2009-10 is indicated in the following diagrams.

- Total students: 675,683;
- Primary course: 213,840;
- Junior high school: 192,474;
- High school: 236,798;
- Pre-university course: 32,571.

[38] Youth Organization of the Red Crescent Society has 16 centers in 6 provinces: one in Chahrmahal and Bakhtiari Province, four in Kerman Province, two in South Khorasan Province, three in Sistan and Baluchistan Province, two in Fars Province and two in Gilan Province.
As Khorasan and Gilan provinces are less-developed and have been repeatedly struck by earthquakes in recent years, 5 fully equipped boarding schools/centers have been established by the Red Cross International Federation and run by the Iranian Red Crescent. These exclude 10 other schools/centers built by the charitable contribution of individuals or the Office of the Supreme Leader.

[39] At least 12,000 young trainees have completed their courses and they participated in over 360 preparatory maneuvers/exercises and over 334 rescue operations.

Figure 4
Protected Students Based on Academic Level in 2009-10

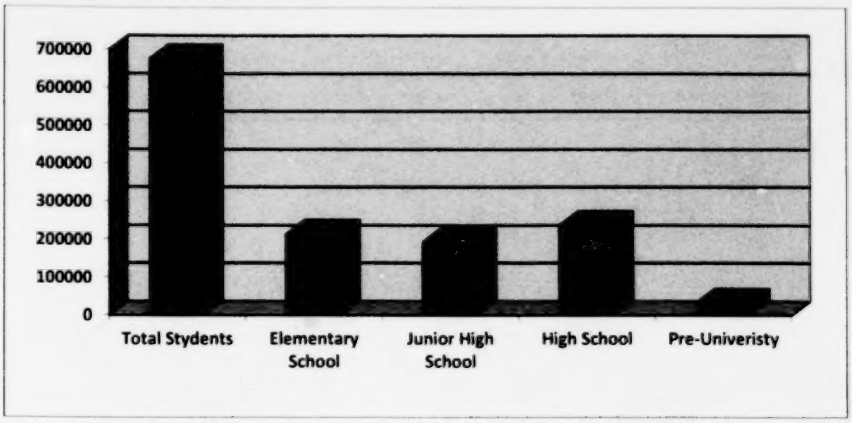


Figure 5
Total Number of Students

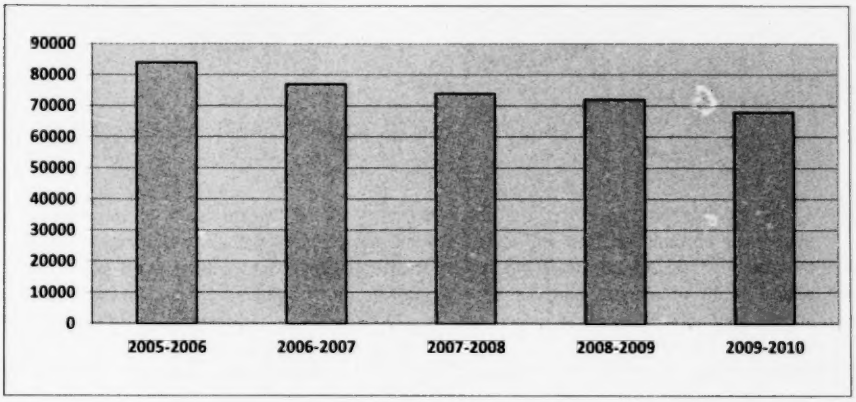
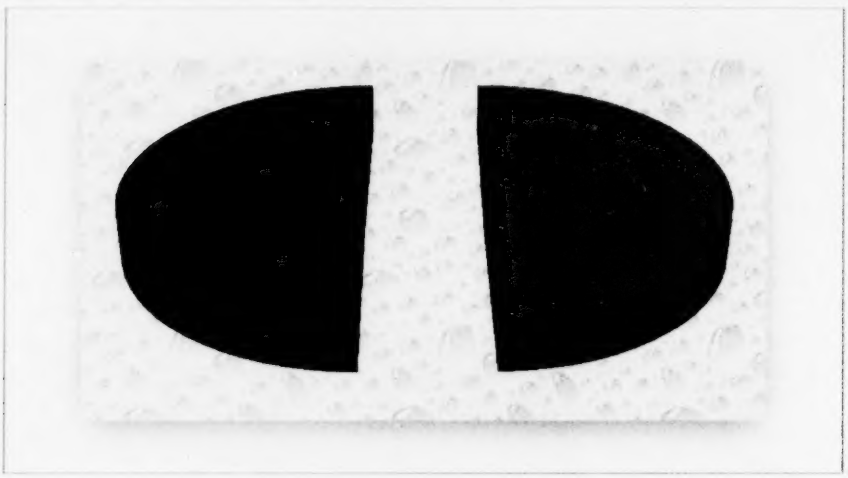


Table 8
Number of Students on the basis of academic levels in the State 4th Development Program

		Total number basis on sex				*High school students*					
							2nd grade		*3rd grade*		
Year	*Total number of students*	*Girl*	*Boy*	*Elementary school students*	*Junior high school students*	*1st grade*	*Theoretical*	*Technical*	*Theoretical*	*Technical*	*Pre-university students*
2005-2006	830,599	413,300	417,299	273,341	272,788	104,427	52,657	21,780	54,905	21,675	29,026
2006-2007	756,793	376,043	380,750	237,168	247,444	97,011	47,242	22,289	54,753	23,753	27,133
2007-2008	731,361	363,806	367,555	224,960	233,351	93,826	49,567	21,601	56,020	22,236	29,800
2008-2009	720,404	360,540	359,864	224,716	217,810	96,102	48,630	22,656	56,729	23,301	30,500
2009-2010	675,683	336,276	339,407	213,840	192,474	88,385	47,946	23,324	54,312	22,831	32,571

Year	Total number of students	Total number bases on sex: Girl	Total number bases on sex: Boy	Elementary school students	Junior high school students	High school students: 1st grade	High school students: 2nd grade: Theoretical	High school students: 2nd grade: Technical	High school students: 3rd grade: Theoretical	High school students: 3rd grade: Technical	Pre-university students
Total	**3,714,840**	**1,849,965**	**1,864,875**	**1,174,025**	**1,163,867**	**479,751**	**246,042**	**111,650**	**276,719**	**113,796**	**149,030**

Figure 6
Total Protected Students in 2009-10 (675683 Persons)



170. As mentioned earlier, the State Social Welfare Organization is in charge of supporting certain children, including disabled and children with incompetent or without guardians. The Organization has taken measures to provide them with appropriate education, to prevent any unnecessary educational gap with these children and others in the society and to prepare them opportunity to continue formal education. In this regard, it supports with its all means the education continuation and academic progress of such children. A number of 96,000 student children of the protected families and 22,000 children under the custody of the Organization receive educational protection services.

171. To encourage them to continue their education and to provide extra opportunities for them to reveal their talents and capabilities, the Organization also hold numerous courses, student festivals, contests, such as cultural-sport Olympiads, Quran competitions and vocational trainings (for children over 15). It also provides them with easy access to library recourses.

2. Average Teacher-pupil Ratio

172. The Ministry has taken steps to increase the average ratio of teachers to students. For elementary schools and high schools the ratios are similar in both urban and rural areas and are, respectively, 1 to 26 and 1 to 19. For junior high schools, however, the ratio in urban areas is higher than the one in rural areas. They are 1 to 20 and 1 to 16, respectively.

3. Percentage of Children in the Non-Formal Education System

173. At present, the pre-school education (for children under the age of 6) is considered as voluntary and non-formal education. Thus, the parents and the guardians are not legally bound to send their children to schools to receive such education. However, pre-school education is offered but at public elementary schools and certain private licensed nurseries. According to the existing statistics, a minimum number of 473,470 students were studying in 16,011 schools during the academic year of 2009-2010. As the latest statistics show, since 2006 there has been a steady increase in the number of the children who receive pre-school education. Almost 87% of Iranian children have received some sort of pre-school education before entering primary course. Rate of enjoyment of girls has been more than boys. Similarly, children living in urban areas have more chance to enjoy pre-school education in comparison to those living in rural areas.

Table 9
Students in Pre-Schools 2004-2008

		Year				
	Number of students	*2004*	*2005*	*2006*	*2007*	*2008*
1	Total number of students	379,383	467,531	583,567	635,757	693,000
	Governmental schools students	45,217	44,477	39,872	35,433	25,234
2	Urban governmental schools students	13,801	12,563	8,006	10,219	5,519
	Rural governmental schools students	31,416	31,914	31,866	25,214	19,715
	Private schools students	307,414	394,540	517,860	581,159	645,914
3	Urban private schools students	232,112	312,597	408,596	458,374	466,830
	Rural private schools students	75,302	81,943	109,264	122,785	179,084
4	Self-sufficient schools students	26,752	28,514	25,835	19,165	21,852

174. At the present, the Iranian national broadcaster are some 13 programs per day for children and adolescents of 6 months to 18 years of old, through which it attempts some non-formal education along with addressing their emotional, cultural and social needs. The general policy of the nationwide Channel 2 of Iranian TV specifically is to take into account the needs of children in each and every programs that it produces or broadcasts. Some 40% of the broadcasted programs are produced by foreign countries to give the Iranian children the chance of a grasp of foreign cultures and customs. Apart from the nationwide channels of Iranian radio and television every Province enjoys its own radio and television stations. They produce and broadcast special programs for children and adolescents, having regard to their own ethnic, cultural and dialect needs.

B. The aims of education (art. 29)

175. Since 2009 the Ministry of Education has carried out a nationwide plan for educational, psychological and behavioral empowerment of students. The Plan intends to promote the level of psychological health, to strengthen good behavior, to improve students' approach to school and education, to accelerate and monitor their education performance and to develop their educational and life skills, including problem solving skills. The plan and its programs are executed, in the field, by experienced instructors who are of sufficient expertise and hold at least Master's Degree in counseling and psychology. The reference materials are also prepared based on local needs of the children.

176. In 2009, a number of 2,400 high school students (girl and boy), 2,400 parents and 400 personnel of selected regions (Kordestan, Tehran, Khuzestan, Markazi, Chaharmahal & Bakhtiari, Hormozgan, Golestan and Mazandaran Provinces were covered under this Plan. In 2010, it was extended to all provinces of the country and covered at least 30,000 students in each province. In the same year, it was decided that particular priority to be given to the students of 3rd grade of junior high school and 1st grade of high school living in less-developed and border regions (like West Azarbayjan, Eilam, Golestan, Mazandaran, Hormozgan).

177. The Institute for Intellectual Development of Children and Young Adults, affiliated to the Ministry of Education, is entrusted to provide proper facilities and opportunities to promote education and mental development of children throughout the country. It discharges its responsibilities through all available means, including, *inter alia*, establishing public libraries (specifically for children), promoting literatures relating children, providing cultural and art educations to children, junior and young adults, organizing exhibitions, contests, ceremonies for children and supporting institutes and other organization active in the field of children. The number of the Institute's centers and part of the services given to children in 2010, throughout the country, are mentioned in the following tables.

Table 10
Number of Centers: 772

Permanent centers	*Urban and rural mobile centers*	*Post centers*
668	57	47

Table 11
Number of Books Existing in Centers: 6,859,375

Permanent centers	*Urban and rural mobile centers*	*Post centers*
6,268,068	269,906	321,401

Table 12
Number of Members of Centers: 878,658

Permanent centers		*Urban and rural mobile centers*		*Post centers*	
Girl	*Boy*	*Girl*	*Boy*	*Girl*	*Boy*
303,288	251,064	27,386	24,610	21,246	251,064

Table 13
Number of National/International Contests

Subject Area	*National*	*International*	*Award Recipients*
Literature	16	3	8,744
Art			299 (International)
	10	25	911 (National)

Table 14
Training Courses

Courses Offered in the Institute	*Courses Outside of the Institute*
213	780
Total Number of Training hours: 23,326 hours	

Table 15
Activities for or about Children

Researches on Children	*Publishing Books on Child's Rights*	*Production of Movies for or about Children*	*Educational Books for Children*
26	12	5	11

Table 16
Language Training Centers

Number of centers	*Number of language learners*
15	567,869 children
32	651,296 adolescents

178. The State Social Welfare Organization has initiated several activities to promote psychological status and morale of children under its custody/care. In this regard, it has included social trainings in the daily education/trainings of the children to empower them psychologically and mentally. It has also given life skill trainings to the mentally disabled children.

179. As the children and adolescents residing in the special care centers of the State Welfare Organizations are deprived of family environment and its training, educational and social functions during their residence in the centers, the instructors and trainers of the Organizations are required to give children under the care direct and indirect cultural and educational trainings as similar to those provided by normal families as possible. It is intended to create a family like environment in order to help children to grasp virtual values and concepts, to remove destroying effects of the past unpleasant memories, to provide mental health, to reinforce positive self-thought in children and to acquaint them with religious and national values. Instructors are also required to teach children under their care life skills and identify their children's talents and personal interests and to establish healthy and effective relations between them.

Table 18
Number of Participants in Life Skills Courses 2004-2009

Year	*Student life skills (person)*
2004	245,000
2005	563,000
2006	750,834
2007	1,622,737
2008	1,653,821
2009 (estimation)	2,450,230

Table 19
Budget Allocated to Courses 2004-2009

Year	*Budget (Thousands IRR)*
2004	6,000,000
2005	7,750,000
2006	9,647,000
2007	13,465,307
2008	16,200,000

180. Similarly, the Office of Prevention and Addiction Affairs of the Organization has carried out a program, since 2007, to raise the awareness of the children of the harms arising from drug abuse. The program, to be part of the general trainings on life skills, is being offered in at least 852 nurseries and schools. According to the available statistics, till 2009 over 207,000 children received the training.

181. In the past 5 years, some 1,525 programs, as 28,289 hours, have also been produced and broadcasted by Iranian national television for children and with aim of developing their personality and talents.

182. Apart from the general and formal education system which ensures non-violent education and intends to prepare children for responsible life in the society, there are several other institutes and organizations in the Islamic Republic of Iran which also undertake this demanding task. For example, the Iranian national broadcasting organization which has large audience among Iranian children has produced, in the past 5 years, over 35,806 hours of television programs in 1,877 shows. These programs are so designed to promote children's understanding of national and international values and their respect to religious values, human rights, freedom and equality. A large part of these programs is also broadcasted by satellites to Farsi speaking children almost all over the world.

183. The Ministry of Culture, through the Center of Art and Culture of Mosques, has taken steps to improve the cultural aspects of the children's life. For instance, it has already offered cultural services to 200 centers in unprivileged and rural areas, supported over 500 children libraries in the mosques with books and software, provided teaching materials and held numerous workshops and training courses, storytelling sessions and talent shows/contests for children. The courses covers a wide range of activities and needs of children, including painting, with different subjects aiming at provocation, developing, fostering and directing the talents of children. The services are given to children indiscriminately and irrespective of their ethnic, racial or religious background or any other consideration. The ultimate goal of the services is to prepare the children for responsible life. Accordingly, particular attentions are paid to respect high values, such as respect the elderly, peace, and environment.

184. The Iranian Red Crescent Society has taken measure to promote respect to peace among children. It thus publishes books and pamphlets on humanitarian law, philanthropy, designs and hosts collective games and contests to teach the children relief aids and philanthropy, prepares epic songs on humanism, holds training courses to teach first aids, rescue operations and relief aids. It specifically holds courses ("How to Confront Mines and the Explosives") on the dangers of landmines for villagers and nomads residing in border areas.

C. Leisure, recreation and cultural activities (art. 31)

185. The Ministry of Culture pays particular attentions to children and their needs in all of its programs and plans. It takes a wide range of activities, including assisting the Theatre Associations to have programs and performances for children throughout the year, holding annual international theatre festival for children and adolescents, conducting extra colloquium programs for children at schools and private art institutes, holding international festival for visual arts, supporting publishers active in the field of children, considering special spaces in Tehran International Book Fair for children books, holding annul book fair for children and adolescents, financially supporting public libraries to purchase latest children books as well as supporting children periodical and journals.

186. There are currently several governmental organizations as well as associations active to encourage book production for children and to promote reading among children.[40] The most important ones are the Child Book Council and the Cultural Association of Publishers of Child and Adolescent Book. The former is an independent and non-profitable organization established in 1962. Since 1979 the Council has been engaged in writing the comprehensive Encyclopedia of Child and Adolescent. As a member of the International Board on Books for Young People international (IBBY), it annually nominates the best Iranian work relating to the child and adolescent for IBBY. The Cultural Association of Publishers of Child and Adolescent Books is mostly composed of private publishers who publish children books.[41] It is a reputable body of private sector which at the same time connects the private sector to the governmental cultural bodies. The Ministry of Culture has close connections with these two bodies.

187. The Youth Organization of the Iranian Red Crescent Society is engaged in numerous leisure activities for children and adolescents. These aim at promoting humanism and philanthropy among the children. In this connection, the Organization has also undertaken the activities which are highlighted in the following box:

Cultural activities:

- To play theatres with subjects of relief and providing service to the people;
- To execute plans to protect the less-developed children all over the country;
- To provide first aid uniform, bag, knapsack and distribute them among 30,000 children who are the members of the Organization;
- To hold painting competitions with the subject of clean weather;
- To hold walking program on the occasion of clean earth day;
- To participate in the religious ceremonies;
- To prepare invitation card for needful children for benefaction ceremony;
- To pay visit to the old people and give flowers to them;

[40] Some of which are: Cultural Association of Publishers of Child and Adolescent Book, Association of Child and Adolescent Book Authors, the Institute for Intellectual Development of Children & Young Adults, Iran Association of Portrayers of Child Book, Association of Children's Talents and Skills Development, Association of Children's Rights Protection, Association of Lovers of Children and Adolescents' Literature, Child Foundation, Child Book Council, Research Institute of History of Child Literature, and Librarian House of Child and Adolescent.

[41] Some 300 publishers are active in the Islamic Republic of Iran to publish books for the children and adolescents. Annually more than 10,000 books are published in this regard.

- To play puppet show for training proper behavior to the children;
- To hold painting competitions with the subject of benefaction ceremony and give gifts to the needful people;
- To clean seashores and nature in the clean earth day;
- To hold kite festival by the children (child day);
- To give educational story books to the children in book day;
- To give flower by the children to the non-smoking cars on the occasion of clean day;
- To clean mountains and do mountain-climbing together with family;
- To hold sport competitions and programs for the physical health and safety of the children;
- To execute plan of helping others by the children throughout the country.

Educational activities:

- To publish educational books for the children regarding humanism and humanitarian law;
- To hold necessary training workshops in relation with the nature, environment, to provide service to the people, to respect the old people and preserving citizenship rights;
- To provide trainings on providing service and humanism towards the children through songs, games and competitions;
- To execute relief and saving maneuvers;
- To execute earthquake aid maneuver by the children and training to seek shelter at the time of earthquake;
- To practice saving the supposed wounded by the children;
- To show earthquake films and methods of seeking shelter;
- To hold earthquake time program in the yard of kindergartens;
- To offer training CD with the subject of cities sky;
- To show animations regarding harms of the cars and contaminators;
- To train children to cleanly preserve the environment;
- To do walking and play puppet shows concerning addiction and drugs;
- Symbolic walking of the children in the city to show dislike towards tobacco products;
- To burry cigarette in a symbolically by the children on the occasion of a day without tobacco products;
- To hold first aid training classes;
- To visit fire stations and introduction to fire department telephone number;
- To introduce the children to firefighting in Fire Fighting Day;
- To play educational puppet shows using animal-like dresses with different subjects of humanism and helping others;
- To hold training classes on self-aid for the parents of the children;

- To train respecting and honoring the old people;
- Introduction to the traffic light in Police Day;
- To execute a special program of health, safety and sport for two days.

188. The children residing in the Juvenile Correction Center can choose to participate in one of technical and vocational courses. The courses are provided as extra colloquium and do not replace or interfere with formal education. The children may choose between pottery, electricity, carpentry, auto-mechanics, agriculture, doll making, mosaic-tile working, hair dressing, and computer. Trainings in these courses/workshops are provided based on standards of the State Technical and Vocational Trainings Organization, affiliated to the Ministry of Labour. The following table indicates the number of participants in such courses in the Tehran Juvenile Correction Center in 2004-08:

	Field	*Participants*
1	Constructional Electricity	620
2	Hair Dressing	800
3	Pottery	1,100
4	Computer	740
5	Mosaic-tile Working	525
6	Carpentry	250
7	Greenhouse Agriculture	880
8	Doll Making	290

189. Also, most of the State Juvenile Correction Centers are equipped with a swimming pool, multipurpose sport halls (for indoor football, volleyball, basketball, handball, table tennis, body building and wrestling). The centers are also equipped with libraries, hold book-reading sessions, arrange recreation camps and trips, fairs and festivals, religious and national feasts and ceremonies, and film show. The children may take part in sport/athletic competitions and events. The art programs of the Center include theater, song, music and painting. The training courses are short-term (maximum 2 months), due to the fact the number of children in the center is changing/floating and they are usually in the centers for short periods.

190. Almost in every center, there is a monthly in-house newsletter to be published with the close cooperation and involvement of children. As these newsletters are intended to help children staying in the centers to have their voices heard, members of editorial board and editor-in-chief are selected from the children and all the contents and the preparatory works of these newsletters are done by the children.

191. In 1997, the Tehran Juvenile Correction Center, for the first time, set up a City Council in the Center. It aims at promoting self-esteem and responsibility among children by encouraging their active participation in conducting the domestic affairs of the Center. It also intends to prepare children for a democratic life in the Society. Every 6 months the children elect democratically the members of the Council as well as the mayor of the Center. The Council has several committees, including committees on Service, Health, Cultural Affairs and Sport.

VIII. Special protection measures

A. Protection of children in special circumstances, including armed conflicts and situations of emergency (arts. 22 and 38)

192. Article 4 of the Military Service Act states that all males of 19 years old are summoned to complete the military service (conscription).[42] Accordingly, all Iranian healthy males who attain the age of conscription are obliged to complete military service. Those who cannot perform military activities, due to medical grounds will be excused from the military service. Students, while still studying, will not be summoned till the time they finish. There is not any military service for females in Iran.

193. According to the Article 16 paragraph (i) of the Act of 1982 on the Statute of the Islamic Revolutionary Guard Corps, the minimum age for active participation in Basij and Islamic Revolution Guard Corps is 16 years. It worth mentioning, Basij consists of voluntaries that are entrusted with a wide range of responsibilities (Article 35 of the said Act), including participation in aid and rescue operations or assisting people in natural disasters/emergencies.

194. Based on the above Acts, one can conclude that the minimum age for a person to be enlisted in the armed forces is full 16 years. This, however, do not mean that they are allowed to participate in armed activities. The minimum age of 16 is required only for entering into the military training centers in a manner that the graduates will be prepared to take charge of military professions. The required age for the general military service is full 18 years or the beginning of 19 years of age.

195. In 2010, the Islamic Republic of Iran signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

196. For children living in war-wrecked areas or directly affected by armed conflicts the relevant governmental bodies, including the Ministry of Defense, the Ministry of Education, the State Welfare Organization and the Ministry of Interior, have taken numerous measures to ensure their safety or to reduce their distress. For instance, the State Minesweeping Center, in the Ministry of Defense, in close cooperation with the relevant governmental and non-governmental bodies, including the Ministry of Education, the Office of Disabilities Prevention, affiliated to the State Social Welfare Organization as well as the Iranian Red Crescent Society, holds training sessions and public awareness campaigns to ensure the safety and security of children from the effects of armed conflicts, particularly dangers arising from landmines, shells and other explosives remnants of war (Annex VIII). The courses, which are mostly offered in schools, are so designed to increase the general knowledge of children, living in border regions and areas which were once battlefields or under the military attacks of the Iraqi army, of these items, their dangers and the proper methods to confront them. Some books, such as the one titled; "Safe Life besides Mines" are also published by the Center and its partners.

197. Similarly, measure were taken to alleviate physical, psychological and emotional distress of children in armed conflicts, relevant governmental bodies, including the Ministry of Education, the State Welfare Organization and Ministry of Internal Affairs, have taken numerous measures. For example, during and after the Iraqi war against Iran in 1980s, the Institute for Intellectual Development of Children and Young Adults, affiliated to the

[42] However, based on Article 151 of the Constitution, the government has to provide general military training for all people, in a manner that all people could be able to defend the country. The Trainings are giving mostly in high schools.

Ministry of Education took measures to maintain its regular services, including cultural and art programs, to children who were living in war-wrecked regions. In fact, the Institute has made arrangements to provide children living in regions in emergency situation with its services through the mobile centers.

198. For children who have lost their guardians permanently or provisionally due to situations of emergency or armed conflicts, the State Welfare Organization has established quasi-family sections in its care centers in order to admit such children. These sections give services to all admitted children, irrespective of their religion, nationality and race. The children will be admitted simply upon the order of the judicial authority. Likewise, the foreign national children will be admitted if the judicial authority so orders. Currently, many Iraqi, Afghan and Pakistani refugee children are under care system of the Organization throughout the country. They benefit from the same care and treatment as the Iranian children.

199. As a matter of fact, the Government of the Islamic Republic of Iran has made all necessary steps to allow refugee children to enroll in schools, take part in all social and cultural activities and receive services in the various fields including health, education and leisure activities. For this end, it also supports activities carried out by the UNHCR and the NGOs.

B. To promote physical and psychological recovery and social reintegration of a child victim of; any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts (art. 39)

200. The Social Welfare Organization has taken different measures to protect the child labour and street children. For instance, it formulated the Directive on Street Children to orchestrate national activities concerning street children. The Directive, which was approved by the Cabinet in 2005, covers the activities done by different ministries and governmental bodies, including the Ministry of Justice, the Ministry of Health, and Ministry of Labour, Ministry of Internal affairs, Organization of National Security, Health Insurance Organization, municipalities and police. It intends to protect and support children under the age of 18 who live in streets. They may still be in touch with their families/legal guardians or not.

201. As the first and a decisive step it started in 1999, with cooperation of other organizations, to identify, discern and accommodate street children and child labour in order to protect them from possible social harms. It also started the Plan to settle at least 20,000 street children in appropriate shelter houses (2001), launched the Health Guesthouse Plan for street children and child labours, and set up The Child Help Line (2002).

202. The Organization also focused on strengthening the family foundation of street children and the child labours. It, thus, started helping them financially by providing credit loans to the families of the street children and child labour, above 15 years old, who seek for jobs. It also provides them with free training courses on professional skills through the State Technical and Vocational Trainings Organization.

203. The Social Welfare Organization has also paid education allowance to the children of the families under its protection scheme to encourage them to continue their education. In the same line, it has established special centers/shelter houses to admit and accommodate street children and child labours that are without guardians or have incompetent guardians. Apart from accommodation, the centers provide social, psychological, medical, health and nutrition, educational, training and vocational services to all street children and child

labours. The competent authorities of the Judiciary pay regular visits to the centers and supervise the provided services and the conducts towards children.

204. The number of the centers increased from 34 in 2004 to 42 in 2006. They admitted 14,269 and 4,403 children in 2004 and 2006 respectively. Nine other shelter houses were also established in the context of the Health Guesthouse Project to secure the protection and care of street children and those children who work in the streets, as well as to increase their professional and training skills. In 2005, about 784 children have been admitted in these Guesthouses and 5,488 children have received their services. In 2006 the number of the admitted children and those who received services increased to the number of 1,348 and 6,995, respectively.

205. To help street children, Iranian police has established counseling and social working in its stations. These units provide the children who are victims of crimes or children in conflict of law with counseling and social working services.

Table 20
Counseling and Social Working Services Given in the Police Stations – 2009

	Service Recipients	*Social Working Units*	*Counseling Units*
1	Children maladjusted with parents	1,203	1,465
2	Children maladjusted with sisters and brothers	501	239
3	Emotional-physical abuse of children by parents	70	297
4	Exceeding expectations of the parents of their children	83	336
5	Lack of sense of responsibility	149	169
6	Family with bad guardian	107	132
7	Undisciplined family	77	67
8	Authoritative family	35	175
9	Child abuse	27	9
10	Discrimination among children	61	117

Table 21
Children at Police Stations – 2009

Escaping home	*287*
Street children	17
Problems concerning child adoption	424
Problems relating to custody	166

206. Article 72 of Criminal Procedure Act and Children and Adolescents Protection Act foresee the possibility of taking civil and criminal actions against the perpetrator(s) where a child or an adolescent suffers from physical harms or he/she has been abused in commitments of other crimes. The court may determine temporary legal guardians according to the said Article to protect rights of the child and adolescent who has been victim of neglect or a crime by the parents or legal guardians.

207. The Judiciary is determined to investigate any case of abuse. The abusers or perpetrators may either be family members, or those that the victim child is entrusted to their care or anybody who has some sort of access to the child. In cases where the child is abused by the parents or guardian, the competent court of law, according to the circumstances of the case, may decide to order the person responsible for to participate in

counseling sessions, to take part in behavior training courses, to use social working services or even to role the incompetency of the parents or guardian to care the child. The social workers of the State Welfare Organizations, police as well as the prosecutor office receive reports and follow cases of child abuse.

208. The State Welfare Organization, which runs or oversees Special Care Centers as well as public and private daycares and nurseries throughout the country, has a strict policy to press strong charges against any individual or personnel of the Organization who abuse children under the care of the organization. As well, the mangers and trainers of the nursery schools are required to report to the Organization as well as the Judiciary any suspicious case of child abuse cases, when they encounter evidences of a possible abuse at homes or other places.

209. The Judiciary provides prosecutors, court officers and justice administration bailiffs with the necessary trainings. They are trained of the delicacy child situations in investigation concerning child abuse. Article 1173 of the Civil Code requires the public prosecutor to request the civil courts to make decision on the qualification and competence of the parents or legal guardians of a child, in cases where social workers or judicial investigators provide sufficient evidence that they are incompetent to maintain, care and provide education for the child.

210. The National Body of Convention on the Rights of the Child and the Judiciary of the Islamic Republic of Iran, with the cooperation of UNICEF and universities, have held "Inter-Religion Conference on Prohibition of Violence against Children" to use religious beliefs and teachings as well as the influence that religious leaders have in the Society to confront violence against children. The Conference was a reiteration on the Kyoto Declaration on Confronting Violence and Advancing Shared Security (2006) and provided an opportunity to once again surface for consideration the question of violence against children and practical mechanisms and solutions suggested by religious leaders to solve the problem. Religious leaders show their commitments in assisting the development of the culture of prohibition of violence against children. The Conference decided to establish a permanent secretariat to pursue this goal and to hold follow-up meetings.

211. Since 2002, when the Head of Judiciary issued a circular to establish the special Department for Safeguarding Rights of Women and Children in the Judiciary, branches of the Department have been set up in all provinces of the country. They are entrusted with responsibility to provide support for all families, women and children either they are accused of or found guilty of a crime or are victims of a crime. The said Circular also emphasized on providing necessary trainings for the judges and using such trained judges in the courts hearing cases which involve women and children.

Table 22
Visitors/Coming Clients (Children and Women) to the Department of Protecting Rights of Women and Children in Provinces – 2005-2008

	Province	*Number of Cases*		*Province*	*Number of Cases*
1	East Azerbaijan	356	16	Fars	1,931
2	West Azerbaijan	9,143	17	Ghazvin	5,855
3	Ardabil	7,922	18	Ghom	16,691
4	Esfahan	9,509	19	Kurdistan	1,710
5	Elam	214	20	Kerman	4,051
6	Booshehr	6,340	21	Kermanshah	8,399

	Province	Number of Cases		Province	Number of Cases
7	Tehran	1,243	22	Kohgiluyeh & Boyerahmad	7,270
8	Chaharmahal & Bakhtiari	2,654	23	Golestan	3,932
9	South Khorasan	1,873	24	Gilan	592
10	Khorasan Razavi	2,005	25	Lorestan	119
11	North Khorasan	5,649	26	Mazandaran	8,605
12	Khuzestan	16,898	27	Markazi	Newly Established
13	Zanjan	3,994	28	Hormozgan	2,255
14	Semnan	895	29	Hamedan	2,486
15	Sistan & Baluchistan	30,401	30	Yazd	1,588
Total					**164,580**

212. The State Welfare Organization has taken a wide range of measures to support street children, child labours and other children at risks. It has employed all available resources and joined with all relevant or interested partners, including UNICEF, to protect and improve the situation of these children. Part of these measure and activities are highlighted in the following box:

- To prepare the national program to prevent child abuse with multi-sectional cooperation;
- To prepare guidelines of treating children at health-treatment centers for health personnel;
- To provide communication tools for improving family relations, including educational stories, brochures & educational films;
- To determine a day as the Day of Child-abuse Prevention to make the people sensitive to child-abuse and draw the attention of people for more protection of programs in this regard;
- To train parents and teachers (PTAs) in the field of communication tools that helps improve the relations and prevent child-abuse;
- To provide information to the national mass media and make them sensitive to child abuse;
- To increase capabilities of specialized forces who provide services to the target groups in the field of recognition of child abuse and how to manage and control it (in 2005 and 2006, two training workshops were held to train recognition of child abuse and provide services to the victims at Chabahar for 120 employees of Health-Treatment Organization, and for training some trainers in this regard.);
- To establish an specialized center for providing psychological health services to the abused children at Bandar Abbas Children Hospital;
- To establish telephone help line for assisting the children and providing consultations and other services to the target group;
- In 1999, the Social Injured Office of the State Social Welfare Organization has prepared and implemented in 16 provinces the plan of "Center of Recognition and Substitution of Street Children". This plan aimed at preventing the exploitation,

abuse and misuse of the street children and as result, decreasing their injuries and providing them with basic requirements (shelter, food, health and recreation);

- To prepare a by-law on settling the street children in 2005, to prevent any form of exploitation, abuse, torture, violence and degrade the street children, and to legalize the issue of protecting and organizing them, was ratified by the board of ministers on 17 July 2006 and is under execution right now. As per this by-law, all the concerned bodies, including Ministry of Justice, Municipality, Ministry of Labour and Social Affairs, Ministry of Health, Treatment and Medical Education, Social Security Organization, I.R.I.B. (TV & Radio), the Red Crescent Society, Ministry of Education and Imam Khomeini Relief Foundation, are engaged in organizing the street children. According to this by-law, a number of 49 centers are active throughout the country and some 10,414 persons in the last year, and more than 11,000 persons in the previous year have been covered by this program. This activity has been executed since 1999 by the governmental and non-governmental organization;
- To cooperate with non-governmental organizations; some non-governmental organizations, such as "Omid Mehr Foundation", provide professional trainings together with on warm meal for girls. "Girls Health Home" and "Injured Women Rehabilitation Center" offer professional trainings in the fields of accounting, computer, flower making, cooking, as well as life and social skills;
- To establish an specialized center at Bandar Abbas Children Hospital to provide psychological health services to the abused children;
- To specify a telephone help line to help the children and provide counseling and other services to the target group;
- To establish specialized centers; the State Social Welfare Organization has had appropriate effects in prevention of the worst forms of child labour (putting special stress on the girls) in Iran through establishing and operating the below centers and executing general and professional trainings for the injured girls and women:
    - Center of intervention in crisis (social emergency): this center provides psychology and consultation services to those girls and women who have faced social problems. The personnel of this center attempt, in the first stage, to return the girls to their homes and if it is impossible, the girls stay for 21 days in this center. Thereafter, they are sent to Girls Health House for rehabilitation programs;
    - Girls Health House: those girls who are exposed to harm are sent to this center. They should be above 14 years old. If it is impossible to return them to their families, they will be kept in these houses with foods, clothing and academic studies;
    - Rehabilitation and re-empowering centers for injured women and girls;
    - Re-empowering centers: those single girls who lack criminal records are entitled to live at these centers with appropriate facilities. They will be provided firstly with general trainings and then professional trainings;
    - Rehabilitation centers: those women who have faced social problems will live at rehabilitation centers with appropriate facilities. They will receive different professional and employment programs.

213. The Tehran Municipality has also taken steps to support street children and child labours. It has, for instance, tried to identify these children, to provide supports to children in need and to protect children at risks, to support street children and child labour to

continue their education. It also established close connections with the State Social Welfare Organization and the Child Foundation in order to introduce children with bad guardian or children in need to these organizations.

C. Legal and judicial protection of children (art. 40)

214. Article 37 of the Constitution and Article 177 of Act of Procedure of Public and Revolution Courts in Criminal Matters underline the legal principle that all individuals should be presumed innocent before a court of law, until proven guilty. As will be shown in the following pages, this principle along with the principle of non-retroactivity of laws are the cardinal principles of the whole justice system and the basis of judgments rendered by all courts, including those hearing cases against individuals under the age of 18. No case of infringement of these principles has been reported.

215. According to Article 38 of the Constitution and Articles 129 and 197 of Penal Procedure Act, no one can be forced to confess or to testify against himself/herself. Such a confession or testimony is not valid and the violator of this rule is liable for prosecution under the provisions of Article 578 of the Islamic Punishments Act. The justice administration bailiffs are also properly trained to know that forcing the accused, especially children and adolescents, to confess or give evidence is prohibited.

216. Also, as most of the proceedings are held in the presence of parents or legal guardian of the child and his/her attorney it is practically impossible to force a child to confess or give testimony against himself/herself. Article 38 of the Constitution and Article 129 of Penal Procedure Act and Note to Article 236 of Civil Procedure Act proscribe forcing a witness (child or adult) to give evidence if he/she refuses to do so. Moreover, Article 155 of Penal Procedure Act holds that a witness should be mature.

217. In cases where there is an allegation against a child, the justice administration bailiffs and police are required to immediately inform judicial authorities and take appropriate measures to bring the accused child before the judge. At a time other than working hours, they are required to release the child upon the pledge made by parents/guardians to bring the child to the court when he/she is called for.

218. Articles 219, 220, 221, 223, and 224 of the Criminal Procedure Act of 1999 require all judicial authorities, when considering the crimes committed by a child, to properly explain the charges against him/her (in a way that they are understandable to him/her). Informing the child's parents/guardians is not legally sufficient. The child should be also given opportunity to defend him/herself in his own word if he/she so wishes. The child is summoned for investigations or presence in the courts through the legal guardian, in order to give them opportunity to take any legal protection that they wish or to all legal facilities for the best interests of the child. In the process of investigation, if it is not necessary to keep the child in custody, he/she will be released on bail or upon the guardian's pledge the child will be brought back when summoned by the judicial authorities. Additionally, Article 220 of Penal Procedure Act requires the courts, when considering a child's offence, to call the accused child's legal guardian to attend the court in personal or appoint him/her an attorney. If they fail to do so, the court itself will appoint an attorney for the child.

219. According to Article 202 of Penal Procedure Act, the cases of alleged commission of crimes by children and adolescents are not heard in courts if the child needs translator and none is present in the court. In this regard, the Office of Official Translators of the Judiciary, based on the Act of 1937 on Translating Statements and Deeds in the Courts and Notaries, and the relevant executive directives of the Judiciary is responsible to provide the necessary translator to the courts.

220. According to Articles 219–231 of Penal Procedure Act, to consider the crimes of the children and adolescents up to the age of 18, falls within the jurisdiction of the juvenile courts. They have exclusive competence to hear all cases where the accused was under the age of 18 at the time of the commission of the crime. Accordingly, in cases where the prosecution is occurring when the accused is above 18, the juvenile court still has the competence. Pursuant to Note 2 of Article 219, if there is any accused person under the age of 18 among a group of accused persons whose cases are under consideration by other courts, his/her case must be separated and sent to the juvenile court for consideration. No other courts are not even entitled to hear cases of accomplices or accessories that are under the age of 18. Their crimes will be considered only by the juvenile court.

221. Similarly, all the crimes, which according to Article 5 of the Act of 1994 on Establishment of Public and Revolutionary Courts fall within the inherent jurisdiction of the revolutionary courts, will be heard by the juvenile courts if the perpetrator is under the age of 18.

222. Furthermore, according to the Note 1 to Article 219 of Penal Procedure Act and the Note 3 to Article 3 of the Amendment Act of 2002 on the Establishment of Public and Revolutionary Courts, crimes committed by children (under puberty age) shall be considered directly by the court; it is not necessary to file it in the prosecution office and issue a bill of indictment. As a result, the proceedings will be carried out promptly. The only exception is where the prosecutor recognizes that has to investigate other aspects of the crime.[43]

223. Considering the vulnerability of children and the unwanted effects that the prosecution may have on his/her future, Article 225 of Penal Procedure Act states that only the legal guardian of the child, the attorney, the witnesses, the informants, and the representative of the Juvenile Correction Center are allowed to be present in the court when it is hearing a case against a child. The violators shall be prosecuted as per Article 648 of the Islamic Punishment Act and will be sentenced from 31 days to 1 year of confinement and up to 6 million Rials of monitory penalty.[44]

224. In addition, practical measures have been taken that prosecutor office and judicial authorities to consider cases concerning children and adolescents as quickly as possible. Any delay in investigations/proceedings is reported relevant authorities, including the Women and Children Rights Protection Departments, to take protective measures.[45] Article 222 of the Penal Procedure Act also requires the Judicial Guidance and Aid Units in the Judiciary to actively assist and support all children and their guardians.

225. The safeguards provided by law for judicial processing, prosecution and hearing cases where a child is accused of committing a crime are highlighted in the following box. They are intended to guarantee a fair hearing by competent, independent and impartial authority or judicial body, in the presence of legal or other appropriate assistance:

- Necessity of establishing special court and differential procedure:

  Article 219 and the Note to Article 220 of Penal Procedure Act state that all crimes committed by the mature persons under the age of 18 shall be considered by the juvenile court as per the public provisions.

[43] However, all of the cases involving the crimes committed by those children who are 18 but have reached puberty are initiated in the prosecution office and after the issuance of the bill of indictment, are sent to the juvenile court to be proceeded upon.

[44] No violation of this provision has yet been reported.

[45] Apart from monthly reports, cases pending over 2 months are particularly reported to the Deputy of the Justice Department of the relevant province, where the case is heard, for further consideration.

- Non–public proceedings:

  The crimes committed by the children are considered in closed sessions in order to preserve their identities and secrets so that nobody can misuse them in the future.

- Necessity of presence of child's parents, guardian or attorney:

  As the children, being charged with accusations and attending the court as the accused, are afflicted with mental/spiritual injuries, they need to receive spiritual and emotional supports. The legislator has ensured this support by the presence of the child's guardian or attorney. (Article 220 of Penal Procedure Act). Also, when considering the crimes committed by the children, the preparations are made for social workers, including those working with juvenile correction center, judicial complexes, State Social Welfare Organization and social emergency, and in case of necessity, the expertise opinions of the specialist physicians, psychologists and forensic medicine organization are used.

- Necessity of keeping child in juvenile correction center:

  With regard to Notes 1 and 2 of Article 224 of Peal Procedure Act, if it is necessary to keep the child for taking investigations or preventing collusion, or the child lacks the guardian, or his/her guardian or other person refuses to give security, the accused child shall be provisionally kept in the juvenile correction center until the issuance and execution of the court verdict. Moreover, those convicts under the age of 18 shall serve their sentence in the juvenile correction center.

- Making personality file for the child:

  There is an implicit reference in Article 222 of Penal Procedure Act to the formation of a personality file for the child. It is necessary to mention that the psychology and advice unit of the juvenile correction center is obliged to open a personality file for the child.

- Non-observation of principle of judge's task termination:

  The principle of judge's task termination states that if the a judge completes the proceedings and issues his verdict, he is no longer entitled to review the verdict, except for the cases, such as restitution of procedure or commutation of punishment that have been provided for by the law. This principle is not observed in relation to the verdicts issued on the crimes committed by the children, because the decisions made on the children are not of punishing nature, to be final and unchangeable; rather, they are of educational nature. It is likely that the court, when issuing its judgment, could not recognize what effects its decision will have in the education of the criminal child. So, the judge may, after issuing his verdict, review his decision. (Article 229 of penal procedure Act).

226. The Supreme Court takes the best interest of the child into account when it interprets and applies laws in cases where a child is accused or a child in involved. The following three sample cases (case numbers 651, 668 and 687) indicate how by the judges of the Supreme Court has fully considered the vulnerable status of the children when applying the law. The case law of the Supreme Court is of utmost importance in the Iranian legal system, since they are considered as binding precedents for lower courts (trial and appeals courts).

- Precedent No. 651, dated 25th October 2000 of the full bench of the Supreme Court: this verdict was issued pursuant to the dispute over the jurisdiction of the juvenile court to consider drug crimes. According to this verdict, whereas the juvenile court has been established to train and edify the children, and their physical and mental characteristics and principle of non-liability of criminal children requires the legislator, observing the rule of protection of offender, to establish an especial court

to consider all their crimes, the juvenile court is competent to consider the drug crimes committed by the persons under the age of 18 years;

- Precedent No. 668, dated 6th October 2004 of the full bench of the Supreme Court: this verdict was issued since there were different judgments on the jurisdiction of the juvenile court to hear the claim of insolvency to pay the object of claim, i.e. blood-money. As per this verdict, the juvenile court is competent to consider the insolvency claim of the persons under the age of 18 years;
- Precedent No. 687, dated 23th May 2006 of the full bench of the Supreme Court: this verdict was issued to settle the dispute on the jurisdiction of the juvenile court over the crimes deserving punishments of retaliation, death, stoning, ..., life imprisonment, as well as the press and political crimes. Relying on this verdict, the crimes committed by the children and adolescents deserving punishments of retaliation, death, stoning, ..., life imprisonment shall be considered by the Province Appeal Court, named in this regard as Province Criminal Court.

227. The competent courts usually use alternative punishments in place of jail times when the accused is a child. Some examples in this regard are mentioned in following box. In all these cases, the courts used the flexibilities of the existing laws to substitute alternative punishments for imprisonment.

- Case1

  Verdict no.: 167/908 issued by 45th Bench of Public Court of Mashhad-Special Court for Children & the Juveniles

  With respect to accusations of Mr. Mahdi L., 15-year-old, having been charged with the act of illegal purchase and trafficking 300 grams of opium, based on the police's report, discovery of opium and the accused's own express admission of guilt and physical transportation of opium to the city of Mashhad, the Court ascertained that the attributed offense has been committed, and on the strength of paragraphs 2 and 5 of Law on Amendments of the Law of Campaign Against Drugs, taking into consideration the report of Social Worker of Juveniles Correction & Rehabilitation Center, also on the strength of the contents of Convention on Rights of the Child and by application of prison punishment alternative measures, and with due observance of article 22 of Islamic Punishment Code, the accused is sentenced to provide community services in an Elderly Caring Center for a period of 3 months.

- Case 2

  Verdict no.: 611 issued by 20102nd Bench of Public Court of Tehran-Special Court for Children & the Juveniles

  With respect to accusations against Mr. Elyas-K,18-year-old of deliberate commission of the act of battery assault with knife, based on the police report and statements of the accused and the testimony of witnesses, the Court is ascertained the accused is guilty of those offenses and on the strength of article 269 of Islamic Punishment Code and having taken into consideration the condition of the accused and the other parties involved in the case, the accused is sentenced to 1 year of imprisonment, yet, since the complainant withdrew his complaint and the accused's remorse and his lack of any past criminal records, therefore, on the strength of article 25 of the said code his sentence is suspended for a period of 3 years and on the strength of article 29 of the same aforesaid code the accused is ordered to report to the counseling center of the Welfare Organization every two weeks for a period of 3 months during the suspension of punishment to receive counseling for behavioral and mind-set modification.

- Case 3

  Verdict no.: 459, issued by 21102nd Bench of Public Court of Tehran-Special Court for Children & the Juveniles

  With respect to discovery of stolen properties from the accused (the child) and his statements during the course of investigations in regard to the Court–Appointed Attorney and restoration of the stolen properties back to the owners and forgiveness of the accused by the complainant and having regard to the accused child's illiteracy, the Court rules that the child should be kept under the care of Correction and Rehabilitation Center at least for a sufficient period of time for completing the basic literacy courses and obtaining his certificate.

- Case 4

  Verdict no.: 1423 issued by 2102nd Bench of Public Court of Tehran-Special Court for Children & the Juveniles

  With respect to accusations of Ms. Mahnaz-F., 15-year-old, in the matter of committing the act of theft, on account of Legal Medical Examiners' opinion which declares she is mentally disabled and also according to the opinion given by psychologists of Juveniles Correction & Rehabilitation Center which confirms the accused's mental retardation, the Court dismisses the case on the grounds of the absence of "mens_ rea" — the moral element of offense: — meanwhile, the Court rules that upon her release, she should be sent to and kept under the care of the Admission and Coordination Center of Tehran Welfare Organization.

- Case 5

  Verdict no.: 397 issued by 2102nd Bench of Public Court of Abhar-Special Court for Children & the Juveniles

  Fatemeh is an 18-year-old female who is charged with fornication on the grounds of the law enforcement officers' report and her own express admission of guilt at the first stage, while had later denied the accusation in her last defense —, and thus the accusation of fornication was not substantiated by the trial. Nevertheless, considering her initial admission at the first stage of investigation, and her several previous records, she has been sentenced to 3 years of imprisonment, on the strength of articles 16 and 68 of Islamic Punishment Code. Having regard to her financial hardship, homelessness, remorse and her plea for an opportunity to have a life with dignity, her sentence is suspended for a period of 5 years on the condition that she completes six months of community service in a facility for mentally retarded children affiliated to the Welfare Organization, and that she would remain under the protection of the Welfare Organization afterwards. This ruling remained open to appeal

- Case 6

  Based on file classification no.: 594 of Tehran Children and the Juvenile Special Court

  According to police report, three 17-year-old teenagers were sent to the Court to be tried for the accusation of participating in the commission of an act of theft. After having performed investigations on the case, the Court ascertained the commission of the act of theft, yet, since the complainant withdrew his complaint, and they had already returned the stolen property back to the owner, the Court issued an injunction on permanent stay of prosecution; in the meantime, form the viewpoint of public aspects of the offense, and on the strength of the Islamic Punishment Code, the offenders are sentenced to two days of imprisonment during the weekends for a

period of 3 months, in order to avoid from interruption of the defendants' attending in the school. This ruling may be subject to appeal.

- Case 7

File classification no.: 317/32/79, of 32nd Bench of Public Court of Tehran- Special Court for Children & the Juveniles

Having considered the contents and records of the file and report of the Drugs and Narcotics Police, and the discovery of 23 packages of heroin -weighting 8 grams- from a 13-year-old girl who following the orders of her stepmother has been distributing narcotics, the Court has ascertained her guilt. Yet, and since, according to the opinion of the Legal Medical Examiner the accused is not ascertained to have reached the age of majority and the matter of her majority is doubted by the Court, the Court recognizes her as a minor and thus declares its judgment to the effect of acquittal of the accused from her criminal responsibility. Nevertheless, based on the reports of the social worker and psychologist of the Correction & Rehabilitation Center and the abuse and negligence committed by her parents and stepmother, and the consequential negative effects of this situation on the accused, she is released to the custody of Correction & Rehabilitation Center for a period of 18 months for the purpose of her maintaining, correction and educating; following which she will be sent to the Welfare Organization for further correction and education.

- Case 8

Verdict no.: 289, 2102nd Bench of Public Court of Tehran-Special Court for Children & the Juveniles

Kazem, is a 17-year-old boy, who is charged with deliberate battery and assault. With respect to report of the police and statements of the complainant and of the accused during the investigations and, with respect to the accused's own express admission (confession) of guilt, the Court ascertained that the accused is guilty of the offense. Yet, having regard to unconditional withdrawal of the complaint by the complainant, the Court issues an injunction on permanent stay of prosecution. Nevertheless, from the viewpoint of public aspects of the offense and since his offense was disruptive to public order and with respect to the severity of the battery and assault inflicted upon the complainant, having taken into consideration that the accused is a computer science student who attends the last year of his high school studies, for the sake of avoiding from any disruption of his curriculum, and having regard to his guilty plea, on the strength of article 269 of Islamic Punishment Code he is sentenced to two-days imprisonment — on Thursdays & Fridays — during the weekends for a period of 3 months. The Correction & Rehabilitation Center is to report his behavior to the Court every 15 days during the course of serving the punishment. This ruling may be subject to appeal.

- Case 9

Verdict no.: 251

Examining Authority: 251st Bench of Public Court of Tehran-Special Court for Children & the Juveniles

With regards to the contents of the file and law enforcement officers' report indicating that Mr. Reza, 17-years-old, was an accomplice in committing the act of theft and his express admission to criminal threatening and being an accessory to the act of theft, his guilt is ascertained, yet since, he is a senior student of physical education and his parents are both teachers, considering his family status and lack of his criminal records and expressing remorse in addition to unconditional withdrawal

of complaint by the complainant, he is sentenced to providing athletic services for delinquent children 20 hours per-week for a period of six months during his school free time in the Correction & Rehabilitation Center.

- Case 10

Verdict no.: 459th issued by Public Court of Tehran-Special Court for Children & the Juveniles

Having taken into consideration the contents of the file and arguments of the Court-Appointed Attorney who represented the accused child, and with respect to the illiteracy and the minority status of the accused child in the matter of his participation in the act of theft, and in view of the fact that the stolen property have been returned back to the owner and the complainant withdrew the complaint, the Court rules that the minority status of the accused child discharges him of any criminal responsibility. But since, receiving education outside of Correction & Rehabilitation Center is not possible for the accused child, the Court orders that he should be kept in that Center at least until such time that he completes basic literacy training courses and receives his certificate. The Correction & Rehabilitation Center is ordered to report the child's progress to the Court every 15 days.

228. The Administration as well as the Judiciary and the Legislative Powers have taken different measures to reform, as much as possible, the laws and regulations concerning the children after the accession of the Islamic Republic of Iran to the Convention on the Rights of Child in 1993. One of the most important steps taken was the adoption of Articles 219-231 of Penal Procedure Act of 1999. Accordingly, besides allocations of special courts to hear cases involving children and prosecute crimes committed by children and adolescents, special rules were laid down on the conditions and procedural aspects of hearing such cases.

229. Although the abovementioned law promoted procedural situation of children in criminal laws, it faces some shortages. Accordingly, a commission was established in High council of Judicial Development of the Judiciary of the Islamic Republic of Iran by the help of UNICEF to study the possibility of formulating a comprehensive law concerning children. The Commission held over 50 sessions from 3rd May 2000 to 19th November 2002. It finally prepared the draft Bill on Prosecution of Crimes Committed by Children and Adolescents which consists of 55 Articles.[46]

230. The draft Bill provides a wide range of protection measure to improve the protection and situation of the children in conflict of law in the whole system of administration of justice. It, for instance, provides children and adolescents with differential proceedings, establishes specialized courts and prosecution office, applies gradual criminal liability regime to children according to their age,[47] foresees different/alternative punishments for crimes committed by children and adolescents, provides required basis for optimum use of counseling and social services in the cases involving children, and establishes a special section in police for dealing with issues involving children and adolescents.

[46] The Bill is already approved in the Legal Commission of the Administration and is sent to the Islamic Consultative Assembly (Parliament).

[47] Pursuant to Articles 32 and 33 of this Bill, the ages of children, irrespective of their sex, have been divided into the following four groups: 1) Up to 9 years old, exempted from criminal liability; 2) From 9 to 12 years old, might be subject to training-correcting measures; 3) 12 to 15 years old, might be subject to training-punishment measures; and 4) 15 to 18 years old, might be subject to minimized punishments.

231. The characteristics and specifications of the draft Bill on Prosecution of Crimes Committed by Children have been highlighted in the following box:

- Establishment of a gradual criminal liability for children and adolescents who are violating laws: Articles 32 & 33 of the bill are about the judgments and decisions of the courts on the children and adolescents subject of this Act. It has considered some differences between various age groups according to the relevant bases. There is not a special punishment or decision for the children under the age of 9 years and they are exempted from any criminal liability. There is non-criminal liability for the children between 9 to 15 years old. There is only a criminal liability for the age group of 15 to 18 years old based upon their age requirements.

- Different, combined and diverse replies to the crimes of children and adolescences: the modified social, training–correcting and criminal replies are different attitudes considered in this bill in reply to the crimes of the children. The arrangements provided for by Article 32, include social replies, stipulated in the laws, being kept in the Juvenile Correction Center, and training-correcting response against any crime committed by the age group of 12 to 15 years.

- Possibility of adjusting & commuting the punishments at different stages of proceedings and using substitute punishments: according to Article 33 of the bill, to be kept in the Juvenile Correction Center as the minimized punishment has replaced the life imprisonment and death sentence for the criminal children and adolescents. Furthermore, Article 35 of the bill provides for being kept in the Juvenile Correction Center as punishment of any crime (especially crimes deserving Hadd and Qisas) that falls within the jurisdiction of Province Criminal Court.

- Establishment proceedings system and special bodies for children & adolescents: Article 3 of the bill states that one or more juvenile court shall be established in the cities. Article 9 of the bill concerns the appointment of a branch of court and prosecution office to this end. Articles 10 and 11 of the bill are respectively about the special branch of the Province Criminal Court and appeal court to consider the crimes of the children and adolescents. Article 51 states the obligation the Judiciary to provide "Social Working Services" departments in the judicial districts of all cities. According to Article 53 and for good performance of all officers concerned with persons, subject of the bill, a special police for children and adolescents will be established.

- To apply restorative justice mechanisms: in addition to the court and prosecution office who tries to reconcile and settle between the parties, pursuant to Article 16, it is possible to refer the case to Dispute Settlement Council, Social Workers or other competent persons who may act as an arbitrator.

- To provide opportunity-making replies: different facilities have been stipulated in this bill, including the possibility of suspending the prosecution in some crimes, including those with punishments other than imprisonment or with imprisonment less than 3 years (Article 15), possibility of postponing the issuance of the judgment after proceedings and ascertaining the criminality (Article 25) and possibility of suspending the execution of the whole or part of the sentence (Article 41).

- Limiting & providing for measures substituting provisional detention: the obligation of judicial bailiffs to immediately deliver the arrested children & adolescents to the competent judicial authorities as mentioned in Note of Article 14, primary obligation of the court or prosecution office to deliver the child or adolescent to their parents or legal guardian and refraining from issuing a provisional remedy, limiting the issuance any warrant regarding the accused persons who are above 15 years old in

accordance with Article 18 of the bill are some of the provisions for limiting any provisional detention and stipulating substitute measures.

232. As the trial period of the Islamic Punishment Act was expired in 2008, the Bill on the Islamic Punishment Act was submitted to the Parliament in 2008 by the Judiciary through the government. In the Bill, children was defined as persons under the age of 18 years and divided into three categories: undiscerning immature (less than 7 years old), discerning immature (above 7 years old) and mature (above 18 years old) (Article 141-1). The immature children were considered exempt from criminal liability (Article 141-2).

233. The Judicial and Legal Commission of the Parliament, however, decided to incorporate the substantive parts of the draft Bill on Prosecution of Crimes Committed by Children into the first part of the Bill on Islamic Punishment. The procedural part was also incorporated in to the draft Bill on the Penal Procedure. The ratification process of the new Islamic Punishment Act was finally finished in March 2012 after its endorsement/approval Guardians Council.[48] The ratification of the Bill on Penal Procedure is under way. It is still before the Legal and Judicial Commission of the Parliament is (as per Article 85 of the Constitution) for consideration.

234. Article 143 of the new Islamic Punishment Act states that: "Immature persons have no criminal liability". Article 144 states that maturity age in girls and boys are respectively nine and fifteen years according to *Hijri* calendar. Article 145 stipulates that regarding persons over 7 years old who have not yet reached puberty, the decision shall be made to apply correcting and security measures according to the provisions of this Act. Articles 87 and 88 foresee that punishments for children and adolescents to decided according to their ages.

235. In general, according to the new the Islamic Punishment Act, 1) the minimum age for criminal liability is full 7 years and the age for full criminal responsibility is 18 years, 2) there is no difference between boy and girl in specifying any punishment and 3) the criminal liability has a gradual nature. Therefore, the children and adolescents have been divided into three age groups of 9-12, 12-15 and 15-18 for which judicial actions are taken in accordance with their age.

236. Similarly, the Bill on Protection of Children and Adolescents is formulated and proposed to remedy the shortcomings of the Act of 2002 on Children and Adolescents as well as to promote compatibility of the national laws and regulations with some existing international standards. It provides full protection to children through judicial and social measures, especially to those who are victims of crimes, at risk or witnesses of crime, who need special procedure and differential treatment in judicial procedures. It particularly aggravates punishment of persons who commit crimes against children. The personality and the age of the victim may also be aggravating factors.

237. The Bill intends to protect the rights of a group of children and adolescents whose situation has not yet been properly addressed in existing laws. They include children who are at risk or victims or witness of crimes, and those whose identities have not yet been registered or ignored for any reason, such as children lacking birth certificates/national I.D. Cards or stateless children. The Bill importantly makes protection arrangements to keep the child in question in the family. In cases where the competent authorities and the courts consider it necessary for a child to be separated from the family or removed from a dangerous place, the arrangements should be done through special procedures. The following box highlights and explains some of the specifications and innovations of the Bill:

[48] As the text is in the final stages of proofreading and editing, it is not yet formally in force.

- Defining "dangerous situations" and examples thereof:

  According to the Bill, a situation is dangerous for a child if it may result in any form of abuse, neglect, ignorance or exploitation of the child or any other circumstances in which if legal intervention is not done in favor of the child involved, his/her physical or psychological health, security, socialization process, education, training and social status and welfare might be affected by be in danger.

  Affliction of either of the parents or legal guardians to any diseases, behavioral, mental and personality disorders or contagious incurable bodily diseases, their imprisonment or their harmful addiction to alcoholic drinks, narcotics drugs or gambling and their neglect and ignorance of the basic and necessary needs of the child (such as having a birth certificate or national I.D Card) are some examples of dangerous situations. Pimping or establishing prostitution centers by either of the parents or legal guardians, or being public known for their immorality/ethical corruption or prostitution are so considered as dangerous situations. Abandoning a child (for example when the parents get divorce and no one accepts the custody), depriving a child from education or repeated violence against him/her are also as cases of dangerous situations under the Bill.

- Criminalization and aggravation of punishments of those who commit crimes against children:

  In case where either of the parents or legal guardian of the child commits crime or abuse towards the child, his/her punishment shall be aggravated. Besides, further punishments, such as negating custody, competence or guardianship might be applied. Any form of child abuse, ignoring his/her study status, changing his/her identity by any means, exploitation, pornography, selling, buying and trafficking their body organs, ignoring their special conditions when they marry, neglecting them when they are at risk and exposed to harm, and refraining from providing reports when they are obliged to, have been criminalized in the Bill.

- To establish Protection Units:

  Upon approval of the Head of the Judiciary, an appropriate unit will be established justice departments of each city to further protect the children and adolescents. They will run under the supervision of the public prosecutor and consists of social worker, special police, psychologist, psychiatrist to provide support and protection to children who have been subject to dangerous situations, or perceived or anticipated dangers/crimes. The Units will also have branches at Ministry of Education, Ministry of Health, and Ministry of Labour. In addition, the State Personal Status Registration Organization is obliged by the time of ratification of the Bill to take necessary measures within two years to notify the relevant the Ministry of Education of the names of those children who have been deprived of education, for failed/prevented from continuing their education. Also, that organization must inform the dropouts of the children and adolescents to the Units.

- To provide judicial protection:

  The cases concerning children and adolescents are considered promptly and out of the regular turns. To speed up consideration of cases involving children the Bill permits, in special cases/circumstances, the criminal courts to hear the civil aspects of a case or to hear simultaneously the criminal and the civil aspects of the case.

- To provide social protection:

  The Bill foresees that those persons, who have committed crimes against, or created dangerous situations for children and adolescents, pass special training or therapy

courses. They might be required to pass special educational, training and skill courses, to go to a hospital and health center to be treated or overcome addiction or to refrain from being employed in certain businesses or do an especial profession. The children and adolescents may be order to be given certain care and supervision by a physician or psychiatrist or any other persons, decided by the court.

238. The Bill on Protection of Children and Adolescents Lacking Competent Guardian was formulated in 2008, revised in 2009 and submitted for consideration to the Legislative power (the Parliament and the Guardian Council). It is yet under deliberations. According to the bill, Iranian nationals and foreign nationals residing in Iran may take custody of Iranian children and adolescents. It also ease the existing regulation on child adoption. For instance, under the Act of 1975 on Protection of Children without Guardian, each couple is permitted to adopted only one child. In the Above mentioned Bill adoption of up to 3 children is permitted for eligible couples. Article 5 of the Bill, has also eased some conditions for the applicants to be family relatives of the child.

239. The existing law requires that a child whose parents or legal guardians are not known to stay under the care of social welfare centers for at least 3 years before being adopted. This was considered a grace period for finding the parents or guardians. However, the period has created for such children. Accordingly, the period has been reduced to two years.

240. Part of the new aspects of the Bill on Protection of Children and Adolescents Lacking Competent Guardian are highlighted in the following box:

- To create uniform and consistent practice

  The Bill intends to lay down clear rules on adoption and accordingly to create a uniform and consistent judicial practice in this regard.[49]

- To bring the law to full consistency with the Constitution, Islamic jurisprudence and children benefits

  In Articles 10 and 21 of the Constitution reiterate that the family is the basis. Child adoption is, thus, a complementary to rather than being an alternative to family. As there are religious considerations to be taken into account when adopting a child, the Bill so formulated to secure the best interests of the children while taking into consideration the provisions of Constitution and the Islamic jurisprudence.

- To change child adoption conditions

  The Bill considerably changes the existing conditions for a child. For example under the Act of 1974 the applicants must be residing in Iran and have marital relations. The new Bill, however, allows the Iranian nationals who are resident of other countries to adopt children under the supervision of the Iran consulates. As well, single women may adopt girls.

- To increase age of child adoption

  The age of a child to be adopted has increased from 12 years to 16 years.

- To strengthen financial guarantees

[49] Accordingly, some family courts do not consider the claims on the child adoption for they believe that the issue falls within the jurisdiction of the public courts. Yet, some other family courts deal with requests of child adoption.

Under the law the adopted child is not entitled to inherit from the adopting family. Articles 14-17 of the Bill have foreseen financial guarantees to secure financial situation of the adopted child after the decease of the adopting parent(s).

- To strengthen role of State Social Welfare Organization

  The Bill requires the State Social Welfare Organization to provide more protection and support to the children without competent guardians.

- To make arrangements to decrease the time of process of child adoption

  Articles 12-14 of the Bill foresee arrangements to decrease the processing time of child adoption.

241. The Bill on Penal Procedure has provided additional protection in the justice system and particularly in the course of judicial investigations. For instance, according to the Bill interrogating and investigating those women and children under the age of 15 shall be carried out by trained female investigators/bailiffs, and if impossible, the case shall be sent to the examining judge in order for further action.

242. The Bill gives an unprecedented *locus standi* for "civil institutions" in cases where a crime is committed against a child. According to the Bill, civil intuitions which, based on their statutes, are active in the field of protection of children, may press charges against those individuals who have allegedly committed crimes children. The said institutions may also participate in all stages of the proceedings in order to present evidences. They can also lodge an appeal against courts decisions.

243. The Bill on Penal Procedure places further responsibilities on the public prosecutors for protections of children without guardians or with incompetent guardians. It foresees that in cases where the interdicted person is a child under the age of puberty and his/her guardians do not take proper actions to protect the rights of the child, including pressing charges against the violator, or the child has either no guardians or no access to him, the public prosecutor or his representative shall take charge to protect the rights of the interdicted child and prosecute the cases criminally.

244. Apart from participating actively in preparing the aforementioned bills, the Judiciary has taken a wide range of measure to promote the situation of children in justice system and justice administration. For example, it held training courses to train/update judges, police officers, and attorneys, managers of the Juvenile Correction Centers and relevant social workers of the standards of juvenile justice (some of the courses held between 2005 and 2010 are mentioned in the following table). The Head of the Judiciary has also issued several circulars/directives to ensure respecting the child's rights in the juvenile justice system as well as to guarantee the smooth and swift flow of cases, involving children.[50]

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[50] Some of these circulars are:

- Circular No. 1/78/6933 (11 October 1999) to remove imprisonment sentence and issue appropriate sentences for women and children convicted of committing a crime;
- Circular No. 1/80/2050 (28 April 2001) to allocate some branches of public courts to consider crimes allegedly committed by children;
- Circular No. 1/80/3050 (29 April 2001) to refrain from introducing children over 2 years old along with the accused persons to the prison, and rather, to introduce them to the social welfare centers;
- Circular No. 1/80/3283 (10 May 2001) to underline the transfer of criminal children under the age of 18 years to the Juvenile Correction Centers of Provinces centers;
- Circular No. 1/81/18421 (29 December 2002) to establish Department of Protection of Women and Children Rights in the Judiciary and all provinces throughout the country;

Table 23
Training

	Title	*Year*	*Duration*	*Venue*	*Number of participants*	*Objectives*
1	Child protecting environment	2005	2 days	Tehran	250	To introduce the concerned directors and experts to the notion and structure of Child protecting environment
2	Juvenile justice	2005	4 days	Tehran	30	To introduce the juvenile court judges and university professors to the juvenile justice
3	Juvenile justice	2005	1 day	Zahedan	150	To introduce the province directors and make them sensitive to the notion and structure of Child protecting environment
4	Juvenile justice	2005	3 days	Zahedan	40	To introduce the judges, police officers and social workers to the juvenile justice
5	Juvenile justice	2006	1 day	Oroumieh	150	To introduce the province directors and make them sensitive to the notion and structure of Child protecting environment
6	Juvenile justice	2006	3 days	Oroumieh	50	To introduce the judges, police officers and social workers to the juvenile justice
7	Juvenile justice	2007	3 days	Markazi & Ghom	40	To promote the knowledge of provinces judges regarding the juvenile justice
8	Juvenile justice	2007	4 days	Gilan	40	To introduce the judges of province to the juvenile justice
9	Juvenile justice	2009	4 days	Ahwaz	40	To promote the knowledge of the judges, police officers and social workers regarding the juvenile justice
10	Juvenile justice	2009	4 days	Booshehr	30	To promote the knowledge of the judges, police officers and social workers regarding the juvenile justice
11	Restorative justice	2009	4 days	Tehran	40	To introduce the juvenile court judges and university professors to the restorative justice structure and notion
12	Juvenile justice	2007	1 day	Hormozgan	150	To promote the knowledge of the judges regarding the structure and notion of juvenile justice
13	Juvenile justice	2007	4 days	Hormozgan	40	To promote the knowledge of the judges regarding the structure and notion of juvenile justice
14	Child rights trainers training	2006	7 days	Tehran	20	To promote the knowledge of the judges, police officers and university professors regarding the child rights and juvenile justice
15	Juvenile justice	2010	4 days	Tehran	30	To promote the knowledge of the directors of juvenile correction centers regarding the child rights and juvenile justice

245. During past years, in order to have trained judicial officers, the personnel and staff of the Juvenile Correction Centers which are affiliated to the Judiciary, have been provided with necessary trainings as to the international regulations concerning the juvenile justice (Beijing Rules, Riyadh Guidelines as well as the relevant regulations for protecting adolescents deprived from freedom). Also all personnel have been required to participate in general training courses.

246. Training courses were also held for police officers and personnel with the close cooperation of UNICEF.[51] Some of which are highlighted in the following box:

- Circular No. 1/85/17992 (06 January 2007) to establish Dispute Settlement Councils for children and use restorative justice mechanisms regarding criminal children.

[51] The UNICEF training experts and Office Staff in paid visits to Police Control Center (110) and Police Station 127 of Narmak, Tehran, and the Police Counseling Center. UNICEF has also provided over 800 books to the police stations.

- Training workshop for 30 officers at three stages from 11 July 2004 up to 20 July 2004;
- Training workshop for representatives of deputies and provinces and 160 personnel;
- Training workshop in provinces form 2005 up to 2008 and training 1,400 police station heads throughout the country;
- Participation of 4 officers of Police in training workshop in Nepal Education in 2008;
- Training workshop hold jointly by the Judiciary and State Social Welfare Organization in Tehran, Hormozgan, Sistan & Baluchistan provinces for 60 officers;
- To hold four retraining courses on juvenile justice for 60 officers introduced by the provinces and appointing them as the trainers;
- To hold scientific-applied conference of Police and Juvenile Justice (5 Aug 2009) in Tehran;
- To hold 1st Conference of Student, Police, Social Security with the cooperation of Commander Chahar Mahal & Bakhtiari province police and Education Organization of Chahar Mahal and Bakhtiari Province in November 2008.

1. National Organizations Dealing with Children in Conflict of Law

247. Apart from the Judiciary, there are several other special organizations and bodies in Iran which deals with children in conflict of law and those who have found guilty of committing a crime.. They include the Rehabilitation centers, the Association for Protection of Prisoners, the *Dieh* (Blood-money) Center, police, the State Social Welfare Organization; the Imam Khomeini Relief Foundation, the Municipalities and the Iranian Red Crescent Society and the Institute for Intellectual Development of Children and Young Adults, are dealing with children in conflict of law and those who have found guilty of committing a crime.

248. Judicial authorities, including juvenile court and adolescents prosecution office, along with the State Prisons Organization (Juvenile Correction Center), Department of Protecting Rights of Women and Children in the Judiciary and the Executive Committee for Protection of Children and Adolescents Who Have Found Guilty of Crime are main units in the Judiciary which exclusively or partially deal with question concerning children in conflict of law.

249. In 2004, the Head of the Judiciary, by Circular No. 1/83/18421, ordered establishment of the Department of Protecting Rights of Women and Children in the Judiciary. In this regard and to coordinate activities of the department established throughout the country, the Executive Committee for Protection of Children and Adolescents (Who Have Found Guilty of a Crime) was also established in Tehran and subsequently in other provinces.

250. The Executive Committee convenes regularly to coordinate and support activities of the participating organizations. It is chaired by the head of province justice department or his deputy and comprised of the head of juvenile court, head of children prosecution office, head of juvenile correction center, head of department of protecting rights of women and children, secretary of committee. The committee in intended to strengthen relations between the bodies associated with children; therefore, reinforcing relations between the State Social Welfare Organization, the Municipality, Police, the Ministry of Education, Imam Khomeini Relief Foundation, and other related departments are the main activities of the committee. Currently, all provinces centers have their own executive committees.

(A highlight of the activities of the Kurdistan Province Executive Committee is mentioned in Annex IX.)

251. The Dispute Settlement Council, having an adjudicative-arbitral nature as well as a public-private structure, is able to be changed into an authority to execute restorative justice, especially concerning the children. Accordingly, the Head of Judiciary ordered the establishment of Dispute Settlement Councils for Children and Adolescents (Circular No. 1/85/17992 dated 6th January 2007). The Circular has taken a distinctive, differential and restorative approach towards the children. The Dispute Settlement Council specialized for children shall be established in the Juvenile Correction Centers. Where there is not such a center in a city, it has to be set up in place an appropriate for children. The members of the Councils should be married, of at least 40 years old, have academic degree in the field of psychology and social working. They also must have 2 years of experience in other Dispute Settlement Councils, have shown a good ability to settle disputes and should pass necessary training courses.

252. There also possibility to use or seek assistance of experienced judges and consultant judges with minimum 5 years record of judicial service in family courts and special branches of juvenile courts and guardianship affairs. The Councils have to establish connections and close cooperation with other organizations active in the field of children, including the juvenile courts, related prosecution office, Juvenile Correction Centers, the Association for Protection of Prisoners, the Blood-money Center, and the State Social Welfare Organization.

253. The Pardon and Amnesty Commission holds regularly minimum one session per week to consider the cases, and takes decisions on the requests for pardon and amnesty. This commission consists of 5 members (Judicial Deputy of Head of the Judiciary, Judicial Deputy of the Prosecutor General, Representative of the Judicial Organization of Armed Forces, Head of State Prisons Organization and General Director of Judicial Identity Card and Pardon and Amnesty who is secretary and member of the commission). Attendance of at least 3 members of the commission is necessary to open the sessions officially.

254. The pardon and amnesty commission considers cases taking into account age of the applicants for pardon and amnesty. For persons under the age of 18 years it pays special attention to their youth, lack of criminal records, non-repetition of crime, conditions of committing the crime and social status. As a result, the request for sentenced persons under the age of 18 years is dealt with special care and sensitivity. In addition to the pardon of the sentenced persons having ages less than 18 years in individual cases, some persons have been pardoned based on general instructions and orders for amnesty issued on the occasion of national and religious feasts. Children under the age of 18 have usually priority for pardon and amnesty. In some cases all individuals under the age of 18 were pardoned.[52]

255. In 2006, the Tehran Province Prisons General Directorate established the internal Office for Citizenship Rights to promote citizenship right in prisons as well as among inmates and personnel. Since then it has focused its activities on several main issues; training staff, informing inmates of their rights and supporting them to reintegrate into the society after the release. For the children in conflict of law, the Office has taken particular measure in this regard. For example, the Office arranged weekly meeting between the children and management of the Juvenile Correction Center. It also authored and published a 72 page booklet for children of the rights and citizens. Similarly, the office arranged training courses for staff on Beijing Rules and Riyadh Guidelines.

[52] For example, Order of 1999, Order of Amnesty of Sentenced Persons in 2000, Order of 11 February 2002, Order of 11 February 2003, Order of 19 August 2003 and Amnesty Instruction of 11 February 2004 pardoned and gave amnesty to convicted children and women.

2. Number of Detained Children under the Age of 18 and the Detention Centers

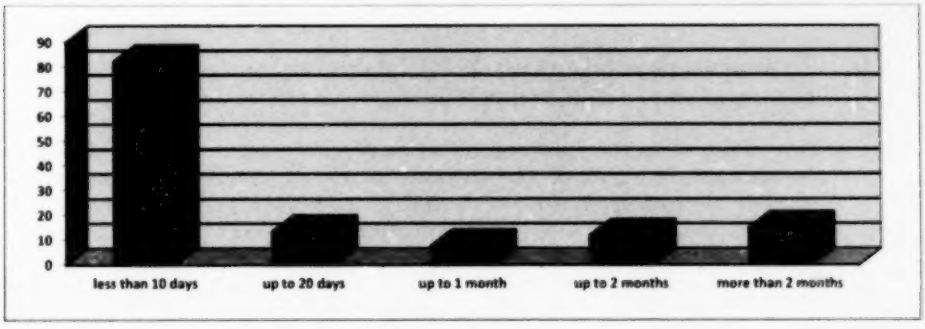
256. According to Article 17 of executive directive of 2005 of the Prisons Organization, the Juvenile Correction Centers are established to keep, correct, train and educate children under the age of 18 years who are in conflict of law or have committed crimes.[53] At present, 28 centers have been set up and running in 28 provinces. In 2 provinces (East Azerbaijan and Semnan) where it has not yet possible to establish independent Juvenile Correction Centers, a place separated from adults prison has been specialized for keeping such children.

257. Article 180 of the said directive holds that all children, in the Juvenile Correction Centers or elsewhere under the authority of the Prisons Organization, entitle to keep contacts with their parents/relatives. Therefore, free of charge telephone and telephone cards are provided for such children. The children may also have regular visits with their families.[54] To encourage the visits as much as possible, out of hours visits are usually permitted in cases where the family cannot make it on time. For the children who are abandoned by their families/parents, the social working units of the Centers try to reconcile.

258. According to the available statistics, a number of 21,227 persons (18,295 boys and 2,932 girls) have been admitted in Tehran Juvenile Correction Center from the beginning of 2001 to the end of 2007, i.e. 3,032 persons per year on the average.

3. Number of Accused Persons under Age of 18 Years and Medium Term of Their Detention

259. The following chart indicates the duration of stay of children admitted to the Juvenile Correction Center. As regards to the Tehran Juvenile Correction Center, more than 52% of the boys and girls admitted in 2001-2007 resided in the Center for less than 10 days. Annex X indicates the number of prisoners/detained persons under the age of 18 years from 2005 until the 1st half of 2010:



[53] It is worth to note that in some Centers there are few adults above the age of 18 years who are kept in correction centers. Those are adults who, because of their physical appearance or conditions are considered to be in danger if being in ordinary adult prisons. They are kept in the Juvenile Correction Centers by agreement of the general director of the prison organization of the concerned province and the judicial authorities.

[54] At least, they can visit once a week for two hours. The new comers, however, may have daily visits to lessen their emotional distress. A judicial expert, a psychologist and a social worker are present at visiting hours for any counseling and advice needed by the families.

4. Prohibition of Bodily Punishment and Solitary Confinement

260. It is prohibited to use bodily punishment and solitary confinement at the Juvenile Correction Centers. Several internal and external departments, including the Department for Evaluation of function, inspection and responding to complaints the General Directorate of Prisons and State Prisons Organization, the Office of Respecting the Clients and Citizenship Rights and the State Inspection Organization, strictly oversees the Centers in this regard. Although there are online surveillance cameras (CCTVs) by which these departments have constant and 24/7 supervision over the Centers, their agents pay also periodic and ad hoc visits to Centers to ensure that all the rules are fully respected.[55]

261. In Iranian law some serious crimes are punishable by death. However, in the judicial proceedings, no death sentence is issued for the children. Similarly, it is the policy of the Judiciary to avoid heavy sentences against children under the age of 18 or to change them subsequently through pardons.

262. The Head of the Judiciary has issued a circular to prohibit applying *qisas* (death or corporal punishment for the crime of murder) on children and adolescents. Furthermore, the judicial system, itself, and through volunteer individuals try to get the consent of the victim's family to waive their right to seek *qisas*. In a case where the victim's family do not waive, it is the general policy of the Judiciary to prolong the proceedings as much as possible in order to give the accused family, attorneys, non-governmental organizations and social activists to get the satisfy the victim's family.

263. In this regard, the Justice Department of Tehran Province has established a sub-committee, consisting of management and specialists of the Juvenile Correction Center (a Psychiatrist and a Social Worker), lawyers as well as the representatives of NBCRC and the executive committee of protection of the rights of the children, to take every measure to prevent qisas. They use the influence of celebrities and dignitaries to reconcile between the victim side and the accused. The committee may also resort to fund raising campaigns if "blood money" is asked for giving the consent.

D. To promote physical and psychological recovery and social reintegration of a child victim of economic exploitation (art. 32)

264. There are specific provisions in the Labour Act of 1990 for protection of working persons under the age of 18. The Act covers all workers across the public and private sectors in Iran, including those working in family/home businesses and agricultural farms in rural areas. Accordingly, Articles 79-84 on the working conditions of persons under the age of 18 is enforceable on all businesses throughout the country. This is of utmost importance as many children under the age of 18 in home businesses or agricultural farms in rural areas. The Note to Article 98 of the Act provides that the inspectors of the Ministry of Labour may visit and supervise home businesses upon the permission of the public prosecutor.

[55] The Juvenile Correction Center is equipped with closed-circuit system. All dormitories and administrative areas are also equipped with the same system. The Head of the center, the Director General the head of State Prisons Organization in the province can monitor, in real time, the interactions between the personnel and the children. Holding daily meetings with the heads of the centers, their deputies as well as having voice mail boxes to receive comments and complains made by children are the some other measures to prevent and to curb misconducts of the personnel or violations of the children's rights at Centers. Legal or disciplinary actions might be taken against violators.

265. Article 83 and 84 of the Act specifically set certain standards and rules on their work-time, working conditions as well as the nature of the jobs that persons under the age 18 may have. Article 83 stipulates:

> "It is prohibited to give adolescent worker (under the age of 18 years old) any additional task, night jobs/works or hard, harmful and dangerous tasks/works and manual handling of exceeding the permitted loads (to lift by hands)."

266. Article 84 states:

> "For the jobs or tasks that because of the nature or workings conditions are considered injurious for the health or character of the trainees/workers, the minimum age would be 18. This shall be decided by the Ministry of Labour and Social Affairs."

267. Based on this Article, a list of harmful and dangerous tasks/works for the persons under the age of 18 years has been subsequently prepared and provided by the National Committee of execution of Convention 182 in the Ministry of Labour. The list has been sent to relevant authorities.[56]

268. It falls within the inherent authority of the Ministry of Health to oversee the health/risk situation of working places and employees. This is also explicitly mentions in the Article 1(2) of the Act on the responsibilities and organizational structure of the Ministry. Apart from environmental health, it also has to monitor the working conditions and work-times to control their effects on the health of the employees/workers. Articles 79-84 of the Labour Act also entrust the Ministry of Health to monitor, inspect, investigate and legally pursue alleged cases of violation of the law. Article 176 of the Labour Act prescribes monetary penalty and confinement (up to 180 days) for employers who violate Articles 79, 83 and 84 on working conditions of persons under the age of 18.

269. The General Directorate for Labour Inspection is entrusted with the task in the Ministry of Labour to oversee and pay regular or ad hoc visits to work places. It therefore should supervise whether the required conditions are fulfilled for working persons under the age of 18.

270. The General Directorate is also responsible to supervise the observance of safety rules and regulations in work places. The outlines of its responsibilities are as follows:

(a) Supervision on the execution of the provisions concerning labour conditions, Labour Act regulations, relevant by-laws and instructions of technical safety;

(b) Training relevant matters of technical caring and leading the workers, employers and all persons subject to damages and losses out of accidents and hazards of work;

(c) Considering and investigating the problems resulted from execution of the technical caring regulations and preparing necessary proposals to amend related instructions;

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[56] At the time of ratification of the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and its complementary recommendations in 2001 the Expediency Council has added two Notes by which the Ministry of Labour was entrusted, with the cooperation some other relevant organization, to draw the list of worst/harmful forms of child labour. The Council also applied punishments prescribed in the Labour Act to violations of this Convention.
The list was first drafted in 2002 and subsequently adopted by the Board of Ministers in 2004.
It covers a wide range of works. See Annex XI.

(d) Considering the accidents out of working in the workshops, subject to the above Article.

271. In addition to the Ministry of, some other bodies, such as the Ministry of the Interior, the State Welfare Organization and the municipalities have responsibilities to ensure observance of the relevant rules and regulations of the child labour.

Table 24
Inspections, Summons and Legal Actions for Implementation of ILO Convention in 2009

Summons	*Inspections*	*Employers Referred to the Judiciary*
15,226	38,630	2

Table 25
Number of the notifications issued by the Government to the delinquent employers in Provinces in 2009

Range	*Province*	*Number of notifications*	*Range*	*Province*	*Number of notifications*
1	East Azerbaijan	1,313	16	Fars	349
2	West Azerbaijan	401	17	Ghazvin	40
3	Ardabil	155	18	Ghom	277
4	Esfahan	55	19	Kurdistan	1,858
5	Ilam	0	20	Kerman	83
6	Booshehr	113	21	Kermanshah	695
7	Tehran	271	22	Kohgiluyeh & Boyerahmad	8
8	Chaharmahal & Bakhtiari	1,392	23	Golestan	27
9	South Khorasan	13	24	Gilan	31
10	Khorasan Razavi	911	25	Lorestan	328
11	North Khorasan	0	26	Mazandaran	591
12	Khuzestan	3,909	27	Markazi	268
13	Zanjan	201	28	Hormozgan	394
14	Semnan	0	29	Hamedan	411
15	Sistan & Baluchistan	753	30	Yazd	246
			31	Alborz	133
Total	**15,226**				

272. The Ministry of Education has taken steps to develop a culture against all sorts of economic exploitation in future generation while at the same time promoting the role and value of work, knowledge and economic activities in achieving highest personal and social satisfaction. Article 140 of Executive By-law of schools, accordingly, prohibits managements of schools and teachers to take from them the financial gains earned by the students or give any personal tasks of their own to the students.

273. As non-student children between the age of 15 and 18 are usually seeking jobs, the Ministry of Labour considers them to at risk of child labour. Accordingly, the Ministry follows the fluctuations in their population size. The following table shows the number of the non-students persons between the age of 10 and 19 for a period of four years. As it

illustrates their population size has considerably decreased from 2005 to the end of 2008. There might be two reasons for that: general decrease in the number of children in the country and/or inclusion of more children to education system. Additionally, as the employment rate for persons over the age of 20 has increased in this period (from 1,809,183 to 19,166,267), it can be deducted the rate of child labour or those at risk of child labour has decreased.

Table 26
Non-students Persons between the Age of 10 and 19 (2005-2008)

		2005	*2006*	*2007*	*2008*	*Difference*
10-14 years	Male	13,009	11,026	7,602	8,383	-4,626
	Female	3,047	1,521	1,032	1,070	-1,977
	Total	16,057	12,547	8,635	9,453	-6,604
15-19 years	Male	260,943	244,560	198,861	191,295	-69,648
	Female	109,024	85,060	65,552	59,573	-49,451
	Total	369,967	329,621	264,413	250,869	-119,098
Total	**Male**	**273,952**	**255,586**	**206,463**	**199,678**	**-74,274**
	Female	**112,071**	**86,581**	**66,584**	**60,643**	**-51,428**
	Total	**386,024**	**342,168**	**273,048**	**260,322**	**-125,702**

274. Since 2001, the State Social Welfare Organization has established and run some guesthouses, called "Child Health Guesthouse", to provide specialized services to child labour in Tehran and some of the provinces.[57] The centers admit the child labour 24/7. In these houses, children are provided with several services, including educational, health and cultural services. Measures have also been taken to fill the gaps that they happen in the life of the child labour. Accordingly, programs are designed to meet their needs, including providing them with public education in the evening classes and filling their leisure time (by taking them to amusement parks, culture houses, cinemas or recreation camps). Counseling, psychology, social working, health and treatment services (such as vaccination) are also available in the guesthouses. Children are also given hot meals (two meals a day: breakfast and dinner), seasonal clothing (for home and work) and sanitary products (towels, etc.).

275. In 2003, the Ministry of labour prepared the "Child Labour Protection Plan" to address the needs of those children who, due to the serious poverty of their families, are working, usually on streets, as retailer, footboy, cargo transporter, shoe shining and other non-real jobs due to the serious poverty of family: this plan has been prepared and executed in 2003 and deals with those children who are working as street vendors, footboys, porter, shoe shiner, etc.

276. The Ministry has launched an overall study of the root causes and social grounds of the child labour as well as the legal measures that can be taken to prevent child labour. In this regard, the Ministry has collected all available information and statistics, held meeting with specialists and established connections with all related bodies and organizations,

[57] Child labours, covered by the State Social Welfare Organization, have been completely identified. The social workers of these children enter into negotiation with the employers and identify them. They examine the type of work and underline this point that this type of work must not be dangerous to the children and working in a such environment must be of profession training nature.

including NGOs active in this field, to prepare the necessary bedrock for preventing child labour.

277. It is well known that street children are mostly victims of neglect or child labour. Accordingly, the Board of Ministers in 2005 passed a directive on settling street children which requires the relevant organizations, including the municipalities, State Social Welfare Organization, Ministry of Labour, Ministry of Justice, Insurance Companies, Ministry of Health and Ministry of Education to take up certain responsibilities towards appropriate settling of these children. They should also submit their reports of their activities every three months to the Ministry of Welfare as well as the High Council of Welfare. At present, there are at least 49 centers throughout the country that deal with settling street children. In 2011, a number of 10,414 persons and in 2010 a number of 11,000 persons were covered by the scheme.

E. To protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances (art. 33)

278. The Islamic Republic of Iran has taken a wide range of measures to combat illicit use of drugs and psychotropic substances in the society, in whole. Particular attention has been paid to children in this regard. Although Iranian laws prohibit any illicit use of drugs and psychotropic substances, the relevant authorizes have carried out public awareness campaigns to inform all members of the society, especially children and young adults, of the direct and indirect health dangers that are associated with drug consumption.

279. The recent laws and regulation more balanced approach in combating drug abuse by focusing on its preventive side. Article 97 of Fourth Development Plan Act (2005-2009), for instance, requires the Administration and all the relevant bodies to take effective measures to prevent and curb drug abuse throughout the country. The measures may include, informing general public of the dangers of narcotic drugs and psychotropic substances, providing counseling services and training courses, setting up the National Telephone Help Line and educational centers. Children, especially those at risk, have been supposed to be among the main audience of these measures. The relevant Ministries and governmental bodies, such as the Ministry of Education, Ministry of Health, Ministry of Social Welfare and the Iranian Drug Control Headquarter, have used inside and outside schools to raise their awareness as an effective preventive measure.

280. The Ministry of Education has performed several preventive programs to protect school children against drug abuse.[58] The programs cover a wide range of activities, including holding training sessions for staff, parents and students, setting up exhibitions and fairs to raise public awareness, mobilizing interested groups to participate in prevention of drug abuse and involving students, themselves, in peer education of their fellow classmates. The statistics shows that, between 2005 and 2009, there was a 73% increase in the number of students of different academic levels who have covered by the various drug abuse prevention schemes, including the training sessions, preventive school-based cooperation plans, training life skills courses and health development plans.

281. Since 1998, it has carried the "Life Skill Training Plan" to foster the anti-drug culture among children by promoting school students' level of psychological health,

[58] Since 2005, for example, a total number of 1,768,709 and in 2009, over 7,090,797 students of elementary schools have been covered by the preventive schemes.

increasing their individual/social abilities and strengthening their resistance against environmental temptation of drugs. Between 2005–2009 over 1,618,996 students of junior high schools have received life skill trainings.

282. In some different programs, the Ministry has formed a network of interested students for peer-education to prevent risky behaviors as well as illicit use of narcotic drugs and psychotropic substances. These programs also increase the interactions and cooperation among students, parents and school staff in the fight against drug abuse.

283. The Ministry of Education has carried the School-based Cooperative Prevention Plan to prevent drug abuse by promoting the psychological and social health of the students. It is a society-based prevention plan and intends to use the role of the society/school and social cooperation in decreasing the social risk factors in drug abuse. The Plan benefits from the participation of all groups, including students, parents, teachers and school staff. It increases, among others, the level of cooperation among such groups, their participation in decision making, respecting the opinions of others and promoting the ability of problem solving.

284. The Ministry has also taken measures to promote the role of parents and families in prevention of drug abuse by children and adolescents. It has carried out training sessions for parents to inform them of the dangers and risks that their children might be exposed to. The existing reports show that the parent training sessions on preventive measures have increased five times from 2005 to 2009. Apart from the general courses for all parents, some special training sessions have been also held for the parents of the students who are considered to be at high risk of drug abuse.

Table 27
Drug Abuse Prevention in 2005-2008

Title	*Operation year*											
	Small protected societies				*Number of teams (people's associations)*				*Covered population*			
Year	*2005*	*2006*	*2007*	*2008*	*2005*	*2006*	*2007*	*2008*	*2005*	*2006*	*2007*	*2008*
Urban and rural districts	675	873	907	999	753	1,309	1,265	1,381	1,994,057	2,588,349	1,571,130	2,744,991
Working places	332	309	363	348	436	971	480	329	171,093	197,939	152,632	190,868
Educational places	1,627	1,423	1,167	2,737	2,826	4,340	3,187	3,190	2,657,891	3,260,744	2,165,849	3,530,109

285. The Iranian Drug Control Headquarter, affiliated to the Office of the Presidency, which was one of the main organizations in the country to implement the above approach, for example, has particularly focused on target audience among children, such as street children. It has launched some programs to promote social participation and involvement of the whole society in tackling the drug abuse by the street children. In this regard, it has established close working connections with non-governmental and CBOs. In the past five years, about 63 million Dollars has been paid by the State Drug Control Headquarter on training life skills to children, child-raising skills to parents and as well as counseling services.

286. The Headquarters has recently approved a work plan for 2010-2014 in which it has, along with 12 other bodies, to take the necessary steps to cover at least 40 percent of the total population of the country by standard programs of prevention and decrease addiction rate. The work plan specifically target children and young adults.

287. Similarly, the State Social Welfare Organization has taken a preventive step by organizing programs to lower the chance of drug abuse by children and adolescents. Since 2007 it has started a nationwide addiction prevention program with a society-based approach. It intends to mobilize and use the power and influence of social institutions, especially families, to inform children and adolescents of the harms and dangers of narcotic drugs. In 2008, a number of 82 nursery schools with a population of 7,028 persons, and up to the end of 2009, a number of 770 nursery schools with a population of 109,797 persons have been covered by the program of "Immunizing children against consuming addictive drugs in nurseries and pre-primary schools". The outcome of this program is mentioned in the following table:

	Protected small societies					*Number of people organizations*					*Protected population*				
Year	*2005*	*2006*	*2007*	*2008*	*2009*	*2005*	*2006*	*2007*	*2008*	*2009*	*2005*	*2006*	*2007*	*2008*	*2009*
Urban and rural districts	675	873	907	999	1,298	753	1,309	1,265	1,381	1,605	1,994,057	2,588,349	1,571,130	2,744,991	2,553,974

288. The children who have been arrested for drug related crimes are kept in the Juvenile Correction Centers. There are numerous measures have been taken to keep the Centers clean from any sort of narcotic drugs and psychotropic substances. For these children, especially those who have used by others for drug trafficking, the Centers implement a special program through which they provide support and protection to help them recover from the psychological damage that has been inflicted on them. Accordingly, such children are first interviewed by the Centers' psychologists to evaluate the possible extent of the psychological damage and to tailor the required treatments. The provided support and services include strengthening their self-esteem and improving their ability to ask for help or reject others' requests or stand against the (peer) pressures, to help them to develop good/generous behavior, training them communication skills and ability to create effective relations with others.

289. Similarly, for the children contaminated by drugs proper treatments and rehabilitation services are provided in the Centers. The statistics show that most of such children have only consumed low amounts/dose of the narcotic drugs or psychotropic substances. Therefore, these children usually receive non-pharmaceutical treatments in the centers. In other words, psychotherapy sessions are arranged to strengthen their ability to overcome their dependency on drugs. Their awareness on the harms and dangers of the drugs is also increased. In their efforts against drug abuse the Centers benefits from the support and cooperation of Iranian NGOs, particularly the Anonymous Addicts Association (N.A.) which is one of the leading NGOs in Iran.

290. The following table illustrates the activities done by the in-house clinic for children admitted/residing in the Tehran Juvenile Center from 2004 to 2008.

Table 28
Triangular Clinic of the Tehran Juvenile Correction Center (2004-2008)

Title	*Number*
Health ID Card	14,909
General visit	28,152
Referral to psychiatrist	4,928
Hepatitis vaccination	1,651
Distributed pamphlets and posters	6,037
Addiction quitting services	2,006

Title	*Number*
Trained clients	5,976
Trained families	2,205
HIV tests	685
Clients received psychiatrist consultation	3,936

291. There is no exact statistics on the number of the children under the age of 18 who are drug addicts. However, the quick evaluation which was made by authorities in 2007 indicated that about %3/2 of the addicts were under the age of 20 years old. The following table shows the geographical scatter of these children:

Treatment centers		*Prisons*		*Streets*		*Total*	
Number	*Percent*	*Number*	*Percent*	*Number*	*Percent*	*Number*	*Percent*
24 persons	1.9%	19 persons	3.3%	208 persons	3.5%	251 persons	3.2%

292. Apart from the general preventive programs which are carried out to protect all children, the competent organizations, such the Ministry of Education, the State Welfare Organization and the Iranian Drug Control Headquarter, have carried out special programs to support and protect children who are considered to be at risk or have had some history of drug abuse. For example, the Headquarter, in close cooperation of the Imam Khomeini Relief Foundation, has launched a program to separate children (at risk) from their addicted parents and provide them counseling services to overcome their addiction before the children are given back to them.

F. To protect the child from all forms of sexual exploitation, sexual abuse, pornography, and trafficking (arts. 34 and 35)

293. The Islamic Republic of Iran is a party to numerous international agreements on the prohibition sex trades, prostitution, pornography and sexual exploitation of women and children. These include the Protocol amending the International Convention for the Suppression of White Slave Traffic, 18th May 1904, the International Convention for the Suppression of the White Slave Traffic, 4th May 1910, the Protocol amending the Agreement for the Suppression of the Circulation of Obscene Publications, 4th May 1910, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 21st March 1950, the Optional Protocol to the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and the Optional Protocol to the Convention on the Rights of the Child on [illegible]le of children, child prostitution and child pornography.

294. As Article 9 of the Civil Code holds that the provisions of the international agreements, accepted by the Islamic Republic of Iran, are considered to be tantamount to national laws, the provisions of the aforementioned conventions are now enforceable as domestic laws. However, the civil and criminal laws of the country, additionally, prohibit any act of sexual exploitation of women and children, prostitution and pornography. Article 640 of the Islamic Punishment Act provides severe punishments, including 3 to 12 months of confrontment and pecuniary penalty, for:

> "1. Any person who is involved in unchaste acts, such as pornography (producing and distributing pornographic films), painting, graver, images, publications, posters, signs, films, cinematographic tapes and/or in general, anything against the public

decency and morality, weather it is produced or shown for business or kept for trade and distribution, in a manner that it harms the public morality.

2. Any person who imports/exports the abovementioned tools, in person or through another one, for the above-mentioned purposes or enters into any other transactions as a party or intermediate or obtains assets out of renting them.

3. Any person who disseminates the above-mentioned items or displays them for public.

4. Any person who, to encourage transacting the abovementioned items or developing them in any manner, gives notice or does either the above prohibited acts or discloses the place of finding them."

295. Article 3(b)(3) of the Act of 2008 on Punishment of Those Persons Involved in Illegal Audio-Visual Activities, specifically incriminates and prescribes the most severe punishments for persons who "use the minors for keeping, showing, offering, selling and reproducing unauthorized (video) tapes". The Act on the Cyber Crimes, similarly, has criminalized child pornography.[59] Article 3 of the Act of 2003 on Children and Adolescents Protection criminalizes "Any buying, selling, exploiting and using children to commit crimes such as trafficking". The perpetrator shall be sentenced, as the case may be, to compensate any damages and six months to one year of imprisonment or the pecuniary punishment of ten million to twenty million Rials."

296. The Bill on Protection of Children and Adolescents has also provisions on trafficking and trading children or their body organs, as well as abusing them in prostitution and pornography. It also foresees the most severe punishments for the perpetrators. The Bill also criminalizes, once again, the acts prohibited in the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Articles 172 and 176 of the Labour Act, too, have stipulated some exact and preventive punishments, including pecuniary penalty and imprisonment for violations of Labour law, including forced labour of children.

297. Article 1 of the Act of 1988 on Punishment of Transferors of Unauthorized Persons across the Country's Borders, explicitly incriminates "any person who transfers unauthorized persons across the country's borders or causes them to pass the borders".[60] In cases where the transferred persons are non-matured the Article lays more severe punishments. It prescribes 3 to 5 years of confinement. Note 1 to Article 3 of this Act implies that if the act of trafficking of persons, under the age of 18, is for morally corrupt purposes (prostitution, pornography, etc.), the perpetrators may face the grave charges and heavy punishments under the Act of Islamic Punishments. In 2004 the Act on Fighting Human Trafficking was also enacted to intensify the punishments against human trafficking.

298. Paragraph 4 of Article 1173 of the Civil Code, as amended on 2nd November 1997, provides extra protection for children whose physical safety, morality or ethical wellbeing is in danger by the carelessness or immorality of their parents in whose custody the child is living. The competent court may decide on the custody of the child upon the request of the child's relative(s), legal guardian or head of the judicial district. Sever addiction to alcohol,

[59] As reported by the State Social Welfare Organization regarding the child labour, identified and protected by the Organization, there is not any case of using, preparing or offering a child to produce, make and show pornographic pictures or films.

[60] It was reported in 2005 that the Foreign Nationals and Immigrants Police and its offices in Khorasan Razavi Province identified and dismantled a network of trafficking in Afghan girls and women into Iran in order to employ them in hard and low-wage works or prostitution.

drugs and gambling, having notoriety for ethical corruption and prostitution, mental illnesses/disorders (determined by the forensic medicine as dangerous to the child). Abusing the child or forcing him/her to take up immoral occupations, such as prostitution, beggary and trafficking as well as repeated assault and excessive battery are all considered as examples of carelessness or immorality.

299. The security crises in some neighboring countries have subsequently resulted in economic, social, cultural and family turmoil in these countries. It is frequently reported that children, especially those living in border regions of these countries, are employed by criminal individuals or groups for cross-border smuggling and human trafficking into Iran. They cross Iran's long borders to smuggle goods, drugs, fuel, alcoholic drinks and cattle into Iran or transfer illegal immigrants.

300. Due to the extreme poverty, the culture of selling children has also developed in some neighboring countries. Poor families sometimes sell one or more children to feed the others. The sold children are usually used for smuggling, human trafficking, low-wage child labour or forced marriage. It is also reported that female children have been the subject of sexual exploitation. In this regard, the border guards/patrol agents of the Iranian Police are instructed to pay particular attention to the issue and immediately report the confronted cases to the Province Security Council, the City Security Council and the Special Crimes Commission of the Judiciary and Police for further urgent considerations.

301. Measures have also been taken to protect, help and support the children who have been subject to or considered to be at risk of any form of exploitation, poverty or social exclusion. The Tehran Municipality and the State Social Welfare Organization previously launched a joint project to establish special guesthouses (Reyhaneh Houses and Green Houses) to shelter runaway girls and boys. The said Houses are now merged into two main centers. They not only accommodate and board these children, but also provide social work services to help children to overcome their unpleasant experiences and be ready to go back to their families. The admitted children may also be transferred to the temporary protection centers. Children without guardians or with incompetent guardians will be sent to the permanent protection centers.

302. The Municipality has, separately, carried out a plan called "Settlement of Street Children" to provide services, including social working aid, educational advice (study, life skills) to the children and their families. The Plan benefits from the close cooperation of some of non-governmental organizations acting in the areas related to children.

303. Apart from general measures, such as installation of CCTVs to monitor the interactions between the children and the staff as well as among themselves, which are taken to prevent any form of abuse or bullying children in the Juvenile Correction Centers, for children who have been subject to any form of exploitation and are now in the custody of the Centers, special protection and recovery plans are designed to boost their self-esteem. According to the general procedure of the Centers, children are physically, psychologically and mentally examined by the GPs, based in the Centers. They are, then, referred to the relevant specialists according to their specific needs. They may be also sent, if necessary, to special treatment centers. The children benefit from special counseling sessions, psychological advices, life skill trainings and other sorts of education to promote their self respect and social status.

304. The psychiatrists of the Centers try to create again a sense of being valuable in the children and assist them to overcome any painful/hard feelings, fear, shame and despair, to resolve fear and depression through strengthening skill of interpersonal contacts with others and mutual respects of the family, to create confidence in the children since they do not deserve to be abused, rather they deserve to be respected and regarded. Their families may also receive such services, especially in order to make them ready to receive the children

back to their home. Accordingly, the psychiatrists and social workers of the Centers contact the families to provide them with the necessary counseling, advices or directions for the unconditional admission of their children to the families.

305. The following table shows the services offered by the social workers of the Tehran Juvenile Center from 2004 to 2008.

Table 29
Social Workers of the Tehran Juvenile Correction Center (2004-2008)

	Title	*Number*
1	To form file for clients	8,048
2	To pursue the judicial case of the clients	7,100
3	To contact the clients' families	15,110
4	To contact the plaintiff	3,765
5	To contact the directors	6,540
6	Visiting the home and work place of the clients	335
7	To take the consent of plaintiffs and victims' families to waive their complaints	710
8	To coordinate to provide financial assistance	585
9	To coordinate the leave of the clients	1,750
10	To coordinate the meetings	1,830
11	To coordinate the transfers	220
12	To take measures to provide release on bail and pardon	930
13	To introduce the clients to blood-money center	205
14	To introduce to association of prisoners families protection	80
15	To introduce to Imam Khomeini Relief Foundation	150
16	To introduce to the State Welfare Organization	120
17	To introduce to the After-Release Care Center	280

G. To respect the rights of the children of the ethnic, religious or linguistic minorities or of indigenous origin to enjoy their own culture, to profess and practice their own religion, or to use their own language (art. 30)

306. Article 4 of the Constitution of the Islamic Republic of Iran stipulates that all the laws and regulations of the country are based on "Islamic criteria" and the Guardian Council is entrusted to monitor the observance of the criteria in enactment of laws by the Parliament. According to the basic Islamic teachings, all people are equal before Allah and any discrimination among human beings, on the basis of their ethnicity, skin colour, nationality, race, etc. is unacceptable. Article 12 of the Constitution also reads as follows:

> "The official religion of Iran is Islam and the Twelve Ja'fari school [in usul al-Din and *fiqh*], and this principle will remain eternally immutable. Other Islamic schools, including the Hanafi, Shafi'i, Maliki, Hanbali, and Zaydi, are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence in performing their religious rites. These schools enjoy official status in matters pertaining to religious education, affairs of personal status (marriage, divorce, inheritance, and wills) and related litigation in courts of law. In regions of the country where Muslims following any one of these schools of *fiqh* constitute the majority, local regulations, within the bounds of the jurisdiction of local councils,

are to be in accordance with the respective school of *fiqh*, without infringing upon the rights of the followers of other schools."

307. Consequently, the Single Article Act of 1933 on Non-Shiite Iranians' Personal Status provides that the personal status, inheritance and will of religious minorities whose faiths have been recognized to be considered according to their faiths.[61] The courts must also apply regulations and custom existing in their faith in matters relating to marriage, divorce, child custody, inheritance and will. The custom and regulations in common between the couple or in case of difference the faith of which the husband, the step-father/step-mother or the deceased is a follower will be applied.

308. In 1984, the full bench of the Supreme Court issued the binding decision (Precedent) No. 37 in which it referred to the 1933 Act and reiterated that courts should apply the rules and customs of the non-Shiite Iranians whose faiths have been recognized in cases where they decide upon their personal status, inheritance and will. In 1993, the Expediency Council approved the Supreme Court decision in the form of a Single Act.

309. Based on these laws, the Iranian Parliaments has gradually enacted the laws concerning the personal status of the minorities living in the country. In doing so it consulted with their religious institutions and associations. The following laws/Acts are enforceable for religious minorities on their personal status, inheritance and will:

- Rules on Personal Status of Iranian Zoroastrians, approved on 18th March 1998;
- Rules of Personal Status of Iranian Protestant Christians, approved on 25th September 2008;
- Rules of Personal Status of Gregorian Christians, approved on 27th October 1938 amended on 15th May 2002;
- Common Rules and Custom of Orthodox Christians regarding their Personal Status;
- Rules of Personal Status of Iranian Catholics, approved in 1999;
- Personal Status and Inheritance of Iranian Jews, approved in 1999.[62]

310. In the education system of the Islamic Republic of Iran all minorities, including ethnic and religious minorities and refugees enjoy equal right to education. Children of religious minorities (religions other than Shiai Islam) can decide whether they want to go to their own schools or the regular schools. In cases where they take the latter, they are allowed to decide whether they want to attend in Islamic courses or not. The religious minorities may have their own schools. According to the available statistics, in academic year of 2008-2009, there were at least a number of 12 technical high schools in the country for the religious minorities.

311. To avoid any possible educational gap or alienation of certain children from the mainstream education due to language disparities, the State five year development acts require the Ministry of Education to hold one-month preparation classes for students who live in bi-lingual regions or regions with two or more dialects. The Ministry, if considered necessary, should hold one-year long courses for pre-school children (those who are about

[61] Article 13 of the Constitution states that:
"Iranian Zoroastrians, Jews and Christians shall also be of the recognized religious minorities who, within the limits of law, shall be free to carry out their religious rites and practice their religion in personal status and religious education."

[62] In 1998 the Head of Judiciary issued a circular (No. 1/76/12898 dated 19th Feb. 1998) to instruct judicial authorities and the Organization of Deeds and Real Estates Registration to ask for the opinion of Association of Tehran Jews in matters related to Jews.

to enter elementary schools) in such regions. It has also give priority to the rural areas as well as one-year preparation courses (prior to the primary school) through non-governmental section and under supervision of the Ministry of Education.

312. The foreign and refugee children can study and use the educations facilities in Iranian schools. Article 42 of the Executive By-law permits enrolment of students, who are nationals of other countries, reside in Iran and have valid identity and residence permits documents.

Annexes

Annex I

The Charter on the Rights of Students (Approved by the Students Parliament – Ministry of Education)

Article 1

Students have lofty human dignity and must be treated with respect.

Article 2

Students must be protected from any and all physical and mental abuse and harassment and all treatment that is socially damaging and defamatory in nature.

Article 3

Students are entitled to privacy, within the framework of education regulations and school executive directives.

Article 4

Every student has the right to be treated fairly in education environment.

Article 5

Every student has the right to be protected by education rules and regulations, regardless of nationality, religion, race, color, language, ethnicity, gender and social status.

Article 6

Every student has the right to teachers and instructors who are competent and qualified academically, religiously and morally.

Article 7

Every student has the right to secure and healthy education facilities and environment.

Article 8

Every non-Farsi speaking student has the right to pre-school courses to learn the Farsi language.

Article 9

Every student has the right to express their views regarding educational issues and facilities.

Article 10

Every student with special needs has the right to special-needs education and facilities.

Article 11

Every student has the right to receive foreign language education in keeping with relevant regulations of the Ministry of Education.

Article 12

Every student must undergo physical and psychological competency tests before being admitted to primary school.

Article 13

Every student has the right to the kind of education which promotes development of their character in a holistic way.

Article 14

Every religious minority student has the right to education in keeping with their religious and cultural beliefs, in accordance with the Constitution of the Islamic Republic of Iran.

Article 15

Every student has the right to learn the following:

Religious and moral issues

Individual and social life skills (The law on objectives and responsibilities of Ministry of Education, Article 10, Clause D)

Civic rights (The law on respect for legitimate liberties and civil rights, ratified on 5 May 2003)

Issues related to sustainable development and the environment (The Constitution of the Islamic Republic of Iran, Article 50, Convention on the Rights of the Child, Article 29, Clause E)

Human rights principles (The Universal Declaration of Human Rights, Article 26).

Article 16

Every student has the right to learn about their history, civilization and cultural and national heritage, and the history and cultures of other nations, Islamic countries in particular.

Article 17

Every student has the right to free public education until the end of high school.

Article 18

The government has a responsibility to ensure provision of mandatory public education for all students until the end of high school.

Article 19

Every student has the right to know the underlying principles and objectives of education as well as the rules and regulations of the educational system. Schools and educational centers are obliged to inform students of the above at the time of their enrollment.

Article 20

Every student has the right to form and attend legal student gatherings.

Article 21

Every student has the right to publish bulletins, in accordance with the Ministry of Education regulations.

Article 22

Student's parents have the right to participate in and supervise their children's educational process in the educational environment.

Article 23

Every student has the right to supplementary and extracurricular activities in line with the rules and regulations of the Ministry of Education.

Article 24

Every student has the right to joyful activities and enjoying a happy educational environment.

Article 25

Every student has the right to receive education on sexual identity, appropriate to his/her age group and in accordance with Islamic and legal principles.

Article 26

Every student has the right to teaching aid material and resources such as libraries and electronic resources compatible with modern educational technologies, in accordance with rules and regulations.

Article 27

Every student has the right to specialized counseling services to promote his/her development in a holistic manner.

Article 28

Every student has the right to be evaluated academically in accordance with the objectives of the educational programme and based on scientific methods.

Article 29

Every student has the right to participate in the process of developing and implementing educational programs, based on various scientific methods.

Article 30

Every student has the right to participate in the preparation of internal tests, and to be informed about the results of their performance evaluations, and to appeal against exam results.

Article 31

Every student has the right to adequate health facilities in the educational environment.

Article 32

Every student has the right to health, physical, mental and psychological care services and regular medical examinations for identification and prevention of diseases and social harms in the educational environment.

Article 33

Every student has the right to a health certificate in the education environment.

Article 34

Every student has the right to learn about ways of responding to accidents, natural disasters and diseases, and to receive appropriate insurance services.

Article 35

Every student has the right to free opportunities and appropriate facilities for physical education in the educational environment.

Article 36

Every student has the right to healthy nutrition compatible with their growth needs in the educational environment.

Article 37

Every student accused or convicted of a crime has the right to continue their education in juvenile correctional and rehabilitation centers.

Article 38

Every needy student has the right to financial aid from the government.

Article 39

Every student has the right to special police services designed for schools.

Article 40

Every student has the right to suitable transportation services, in keeping with rules and regulations.

Annex II

National Birth Certificate for Children under 5 Years Old, Observed during the IrMIDHS-2010 Study

	Percentage of children without birth certificates	*Percentage of children without birth certificates and*				*Among children who have birth certificates, percentage of observed certification*	*Total number of Iranian children under 5 years*
		Their identification has not been observed	*Their identification has been observed*	*He She doesn't know*	*Total*		
Total	**1.37**	**91.62**	**7.01**	**0.00**	**100**	**92.89**	**8,923**
Urban	**1.08**	**91.14**	**7.78**	**0.00**	**100**	**92.13**	**5,635**
Rural	**1.89**	**92.47**	**5.64**	**0.00**	**100**	**94.26**	**3,288**
East Azerbaijan	0.42	94.34	5.24	0.00	**100**	94.74	454
West Azerbaijan	0.26	97.78	1.97	0.00	**100**	98.03	412
Ardabil	0.68	93.51	5.81	0.00	**100**	94.15	154
Isfahan	0.19	96.53	3.27	0.00	**100**	96.72	533
Ilam	0.79	98.49	0.73	0.00	**100**	99.27	132
Bushehr	1.32	91.52	7.16	0.00	**100**	92.75	146
Tehran	1.89	86.13	11.97	0.00	**100**	87.79	954
Chahar Mahaal and Bakhtiari	0.77	94.56	4.67	0.00	**100**	95.29	128
Khorasan, South	0.75	97.71	1.54	0.00	**100**	98.45	130
Khorasan, Razavi	1.98	85.85	12.17	0.00	**100**	87.58	749
Khorasan, North	0.00	92.85	7.15	0.00	**100**	92.85	154
Khuzestan	1.84	93.83	4.33	0.00	**100**	95.59	603
Zanjan	0.00	98.49	1.51	0.00	**100**	98.49	136
Semnan	3.44	91.75	4.81	0.00	**100**	95.02	84
Sistan and Baluchistan	4.23	87.19	8.57	0.00	**100**	91.05	546
Fars	1.17	91.65	7.18	0.00	**100**	92.74	533
Qazvin	0.00	96.84	3.16	0.00	**100**	96.84	130
Qom	2.34	78.91	18.75	0.00	**100**	80.80	128
Kurdistan	1.24	95.68	3.08	0.00	**100**	96.88	161
Kerman	1.84	91.43	6.74	0.00	**100**	93.14	384
Kermanshah	0.49	93.80	5.71	0.00	**100**	94.26	212
Kohgiluyeh and Boyer-Ahmad	0.56	88.43	11.01	0.00	**100**	88.93	181
Golestan	2.82	90.37	6.81	0.00	**100**	92.99	231
Gilan	0.53	96.17	3.30	0.00	**100**	96.86	182
Lorestan	0.46	92.97	6.57	0.00	**100**	93.40	213
Mazandaran	1.45	93.18	5.38	0.00	**100**	94.54	323
Markazi	0.00	93.00	7.00	0.00	**100**	93.00	185
Hormozgân	0.92	95.40	3.68	0.00	**100**	96.29	219
Hamadan	0.43	95.08	4.49	0.00	**100**	95.49	206
Yazd	1.55	92.92	5.53	0.00	**100**	94.38	127
Alborz	1.04	87.55	11.41	0.00	**100**	88.47	193
Under one year	3.25	88.97	7.79	0.00	**100**	91.95	1,794
1 year	1.41	91.82	6.76	0.00	**100**	93.14	1,836
2 year	0.52	92.49	6.99	0.00	**100**	92.97	1,787
3 year	1.03	92.08	6.89	0.00	**100**	93.04	1,797
4 year	0.60	92.81	6.59	0.00	**100**	93.37	1,709

Annex III

Child Discipline for Children Who Are 2-14 Years old (in the last month), IrMIDHS-2010 Study

	Non-Violent Disciplining		
	Depriving the Child from Some Certain Privilege	*Assigning Other's Tasks to the Child*	*Explaining the Child of the reasons of his/her improper behavior*
Total	**62.82**	**45.90**	**89.76**
Urban	**65.01**	**45.61**	**91.25**
Rural	**58.64**	**46.45**	**86.92**
Man	**65.89**	**45.97**	**89.97**
Women	**59.59**	**45.83**	**89.55**
East Azerbaijan	59.73	41.39	91.48
West Azerbaijan	56.98	43.57	82.39
Ardabil	50.16	36.15	83.61
Isfahan	63.18	49.48	89.96
Ilam	72.17	48.12	89.25
Bushehr	72.83	56.71	86.28
Tehran	70.71	42.34	93.11
Chahar Mahaal and Bakhtiari	48.29	29.72	87.17
Khorasan, South	54.14	23.38	87.40
Khorasan, Razavi	59.99	50.56	89.97
Khorasan, North	64.22	44.35	89.04
Khuzestan	66.18	50.84	93.47
Zanjan	48.74	28.35	84.98
Semnan	69.66	38.32	90.37
Sistan and Baluchistan	54.15	45.38	86.06
Fars	59.11	49.21	56.96
Qazvin	62.19	36.56	91.54
Qom	65.57	43.71	93.41
Kurdistan	48.51	32.45	82.90
Kerman	65.62	39.77	90.96
Kermanshah	67.35	56.96	87.38
Kohgiluyeh and Boyer-Ahmad	82.87	65.14	90.59
Golestan	64.39	64.45	92.93
Gilan	67.75	43.40	92.15
Lorestan	64.24	53.86	94.07
Mazandaran	62.79	32.47	89.36
Markazi	68.85	44.71	92.44
Hormozgān	62.79	65.06	87.80
Hamadan	46.69	42.17	88.60
Yazd	63.64	57.42	90.72
Alborz	70.65	47.80	88.95

Annex IV

Children Living with Only One Parent (0-17 Years Old), Ir MIDHS-2010 Study

	Percentage of children:		*Percent of children who are deprived of living with Mother that:*			*Percent of children who are deprived of living with Father that:*		
	Does not live with at least one parent	*At least one of their parents has died*	*Mother is alive but she doesn't live with child*	*Mother has died*	*Total*	*Father is alive but he doesn't live with child*	*Father has died*	*Total*
Total	**10.08**	**6.53**	**1.93**	**3.80**	**5.73**	**2.93**	**3.03**	**5.96**
Urban	**9.58**	**6.23**	**1.76**	**3.77**	**5.53**	**2.65**	**3.74**	**5.39**
Rural	**11.00**	**7.10**	**2.25**	**3.87**	**6.12**	**3.46**	**3.55**	**7.01**
Man	**9.62**	**6.47**	**1.49**	**3.81**	**5.30**	**2.47**	**2.92**	**5.38**
Women	**10.56**	**6.60**	**2.40**	**3.81**	**6.20**	**3.43**	**3.15**	**6.57**
East Azerbaijan	5.16	3.45	1.45	0.72	2.18	1.46	2.79	4.25
West Azerbaijan	11.47	7.15	3.23	4.47	7.70	3.05	2.96	6.00
Ardabil	10.11	4.06	4.19	2.01	6.30	5.43	3.04	7.47
Isfahan	5.75	3.71	0.98	1.94	2.93	1.92	1.89	3.81
Ilam	14.52	11.92	2.15	8.76	10.92	1.74	4.43	6.17
Bushehr	9.34	7.54	1.03	3.22	4.25	1.79	4.32	6.11
Tehran	10.72	7.52	1.45	4.94	6.39	2.23	3.09	5.42
Chahar Mahaal and Bakhtiari	10.11	9.14	1.45	5.79	7.24	0.48	3.60	4.08
Khorasan, South	8.79	5.70	1.81	4.09	5.90	2.29	1.61	3.90
Khorasan, Razavi	8.44	4.77	1.93	2.78	4.71	3.02	2.22	5.24
Khorasan, North	8.12	5.24	0.60	1.61	2.21	2.88	3.83	6.71
Khuzestan	8.82	5.35	2.17	3.04	5.21	2.61	2.45	5.06
Zanjan	9.92	7.08	1.42	4.47	5.88	2.37	3.31	5.69
Semnan	10.83	10.56	0.00	7.56	7.56	0.27	3.56	3.53
Sistan and Baluchistan	15.33	10.19	1.88	6.28	8.16	4.55	4.61	9.16
Fars	13.49	10.04	1.16	7.54	8.71	3.28	2.89	6.17
Qazvin	3.15	1.96	1.19	0.39	1.57	0.98	1.96	2.94
Qom	7.43	4.08	1.92	1.92	3.84	2.40	2.16	4.56
Kurdistan	9.70	6.42	2.63	1.83	4.47	2.61	4.91	7.51
Kerman	11.28	5.94	2.63	1.89	4.52	5.13	4.28	9.41
Kermanshah	11.76	8.66	2.97	4.92	7.89	2.58	4.38	6.96
Kohgiluyeh and Boyer-Ahmad	8.31	4.97	1.60	3.69	5.28	3.49	1.28	4.78
Golestan	16.34	12.30	3.13	9.56	12.69	3.12	3.60	6.73
Gilan	12.67	8.73	1.62	7.02	8.64	2.93	1.96	4.60
Lorestan	9.76	7.24	2.14	2.84	4.99	1.64	4.78	6.42
Mazandaran	10.55	5.84	2.48	3.99	6.46	3.63	1.90	5.53
Markazi	8.71	6.22	1.50	3.53	5.04	1.99	2.68	4.68
Hormozgān	12.01	5.06	1.13	0.76	1.89	6.57	4.30	10.87
Hamadan	10.54	5.50	3.81	2.39	6.30	4.34	3.24	7.58
Yazd	6.42	3.08	2.05	0.51	2.56	2.83	2.57	7.58
Alborz	7.83	3.91	2.46	1.74	4.20	3.19	2.31	5.40

Annex V

Mortality Rate among Children under 5 Years Old, in MIDHS 2010, DHS 2000, MICS 1997 Studies

		MIDHS 2010	*DHS 2000*	*MICS 1997*
Infant Mortality Rate (Below One Month)				
Total	-	**18.3**	**15.29**	
Man	-	21.9	16.55	
Women	-	14.6	13.90	
Urban	-	17	12.95	
Rural	-	20.6	19.40	
Infant Mortality Rate (Below One Year)				
Total	-	**28.6**	**20.32**	
Man	-	32.7	20.88	
Women	-	24.4	19.70	
Urban	-	27.7	16.90	
Rural	-	30.2	26.35	
Mortality Rate for Children under 5 years				
Total	-	**36**	**22.52**	
Man	-	37.6	23.16	
Women	-	34.6	21.82	
Urban	-	36.8	19.24	
Rural	-	34.6	28.31	

Annex VI

Breastfeeding in Children under Two Years and Possibility of Continuation of Breastfeeding, IrMIDHS-2010 Study

	Percent of exclusive breast feeding in children under 6 months	*Percentage of using Breastfeeding as a main food in children under 6 months*	*Percentage of children between 6-6 months who has started eating solid, semi-solid or soft foods*	*Percentage of children who are not breastfed and The least frequent were fed*	*Possibility of continuation of breastfeeding until 15-12 months*	*Possibility of continuation of breastfeeding until 23-20 months*	*Percentage of feeding with bottle*	*Duration of breastfeeding (month)*	*Early initiation of breastfeeding (In the first hour after birth)*	*Babies who has been breastfed*
Total	**53.13**	**70.72**	**75.92**	**83.93**	**84.22**	**51.00**	**31.15**	**21.30**	**68.70**	**97.44**
Urban	**47.79**	**67.36**	**77.65**	**88.91**	**81.39**	**50.48**	**33.88**	**21.18**	**67.59**	**97.48**
Rural	**62.76**	**76.79**	**72.97**	**73.31**	**88.74**	**53.03**	**26.32**	**21.54**	**70.64**	**97.37**
Men	**50.60**	**70.09**	**71.46**	**83.57**	**86.39**	**52.20**	**31.03**	**21.54**	**63.59**	**97.54**
Women	**56.35**	**71.98**	**80.60**	**84.15**	**81.48**	**49.70**	**31.24**	**21.13**	**66.64**	**98.29**
East Azerbaijan	58.76	75.20	69.78	77.97	-	-	34.64	21.04	64.81	98.36
West Azerbaijan	67.99	79.59	76.92	94.96	-	-	40.12	23	62.30	97.86
Ardabil	68.75	78.69	91.48	87.09	-	-	27.79	23	92.38	97.96
Isfahan	43.07	65.78	89.82	92.56	-	-	32.37	22.05	74.82	93.39
Ilam	38.56	38.56	50.51	100.00	-	-	21.61	23	63.57	96.41
Bushehr	45.57	64.75	90.40	100.00	-	-	38.32	20.24	78.88	100.00
Tehran	49.93	69.57	78.72	87.23	-	-	37.10	19.91	68.57	96.26
Chahar Mahaal and Bakhtiari	70.42	94.06	83.47	100.00	-	-	20.92	23	74.97	99.01
Khorasan, South	54.86	61.12	66.13	82.80	-	-	37.79	20.85	64.90	94.64
Khorasan, Razavi	55.32	69.90	86.04	93.50	-	-	31.56	20.78	70.18	96.59
Khorasan, North	52.88	67.63	100.00	85.00	-	-	31.05	20.88	71.58	98.42
Khuzestan	34.30	58.64	76.99	88.31	-	-	23.96	23	74.63	97.46
Zanjan	71.89	82.95	62.34	80.28	-	-	22.33	23	63.69	94.85
Semnan	55.47	66.60	100.00	100.00	-	-	21.54	23	66.07	96.95
Sistan and Baluchistan	47.44	67.99	65.24	59.02	-	-	25.69	19.19	62.86	100.00
Fars	47.17	65.36	77.24	78.19	-	-	36.80	21.17	83.58	100.00
Qazvin	39.12	65.46	71.80	100.00	-	-	25.82	23	73.36	97.41
Qom	63.64	86.36	83.33	100.00	-	-	28.79	23	76.89	97.49
Kurdistan	74.82	81.35	84.16	94.49	-	-	36.76	23	67.31	98.89
Kerman	59.70	69.48	70.81	88.98	-	-	36.17	21.37	73.78	97.42
Kermanshah	42.56	62.79	75.39	100.00	-	-	33.07	2094	79.29	98.15
Kohgiluyeh and Boyer-Ahmad	42.45	58.24	80.09	73.69	-	-	27.83	21.48	61.23	93.93
Golestan	61.07	78.69	35.61	70.49	-	-	23.87	21.69	72.92	98.67
Gilan	85.65	93.20	67.46	89.61	-	-	30.28	22.5	75.33	99.58
Lorestan	69.84	74.17	89.11	32.98	-	-	21.45	21.98	78.66	100.00
Mazandaran	64.87	75.85	83.43	92.84	-	-	34.90	23	68.24	96.11
Markazi	41.52	82.65	88.55	45.13	-	-	14.57	21.89	71.37	98.88
Hormozgān	51.71	71.82	51.46	83.80	-	-	25.51	23	67.47	98.50
Hamadan	64.18	73.47	62.69	100.00	-	-	21.47	23	55.96	98.00
Yazd	33.11	66.89	61.47	55.44	-	-	29.32	23	67.47	97.44
Alborz	52.25	73.96	57.78	86.35	-	-	37.40	20.5	67.59	97.48

Annex VII

School Attendance among Children Who Are Working and Working Students (6-14 Years old), IrMIDHS-2010 Study*

	The percentage of working children who are going to the school	*The percentage of students who are working*
Total	**90.37**	**11.12**
Urban	**93.54**	**9.35**
Rural	**86.53**	**14.77**
Man	**90.88**	**12.35**
Women	**89.69**	**9.79**
East Azerbaijan	88.23	10.66
West Azerbaijan	76.24	9.49
Ardabil	95.53	10.80
Isfahan	98.47	11.76
Ilam	100.00	6.83
Bushehr	96.63	11.74
Tehran	92.03	7.15
Chahar Mahaal and Bakhtiari	100.00	19.99
Khorasan, South	96.35	12.16
Khorasan, Razavi	90.70	8.24
Khorasan, North	89.36	15.66
Khuzestan	88.57	11.46
Zanjan	100.00	7.26
Semnan	83.31	7.20
Sistan and Baluchistan	68.11	7.49
Fars	97.91	16.30
Qazvin	97.87	19.19
Qom	73.08	9.22
Kurdistan	62.74	3.70
Kerman	86.47	13.83
Kermanshah	97.07	10.23
Kohgiluyeh and Boyer-Ahmad	87.75	15.06
Golestan	89.05	23.06
Gilan	87.56	4.91
Lorestan	90.37	16.60
Mazandaran	94.14	17.73
Markazi	94.86	13.49
Hormozgān	92.46	9.83
Hamadan	95.49	12.83
Yazd	90.76	10.81
Alborz	97.61	12.65

* Index Number MICS 8.3, 4th international Circle.

Annex VIII

Information on Students Covered by the Plan in Five Mine-Polluted Provinces by 2010

Provence	*Students Covered by the Plan*	*Students Covered by the Plan in Provinces*
Kurdistan	35,786	15
Ilam	3,112	12
Khuzestan	29,300	15
Kermanshah	30,767	40
West Azerbaijan	22,529	24
Total	**630,545**	**121,494**

Annex IX

Enactments of Executive Committee of Protecting the Rights of the Child, Kurdistan Province Justice Administration

It was decided to make necessary arrangement for the visit of the members and Committee to the Child Care Centers affiliated to State Welfare Organizations. (First meeting, 27 May 2007)

It was stipulated that State Welfare Organization should check the deficiencies of the Centers reported by the Committee members. The Organization needs to inform the Committee members of the practical solutions in written form. (Second meeting, 26 June 2007)

It was decided to separate the Nursery of the State Welfare Organization from Girl Care Centers. (Third meeting, 6 Aug 2007)

It was decided to establish a branch in Sanandaj Prosecutor's Office to address Child Abuse cases and invite the Judge of the branch to future meetings of the executive Committee.

State Welfare Organization was tasked to present the statistics for child abuse cases within the age range of 6 to 11 in the cities of Sanandaj, Qorveh, Marivan and Saqqez in the next meeting. (Fourth meeting, 22 Sep 2007)

State Welfare Organization was tasked to prepare child abuse questionnaires to be distributed among schools. (Fifth meeting of the executive committee, 3 Dec 2007)

It was decided to invite the representative of the provincial Education Department to the next meeting.

It was stipulated that the members of the Committee should immediately inform State Welfare Organization of their remarks and comments subsequent to studying questionnaires prepared by State Welfare Organization.

It was stipulated that the questionnaires should be distributed among the target audience (trainers and teachers) in kindergartens and elementary schools of Sanandaj.

It was stipulated that department of Education should invite representatives of State Welfare Organization to its monthly meetings of managers to shed light on the subject of the meeting. (Sixth meeting, 16 January 2008)

State Welfare Organization was tasked to prepare the contents of child abuse questionnaires and send a copy of them to all committee members by November 5.

It was decided to hold a Training of Trainer course from Nov 5 to 21 for the kindergarten trainers as well as teachers in collaboration with State Welfare Organization and the provincial Department of Education. Later the prepared questionnaires should be distributed among these trainers and teachers.

It was stipulated that the report of the plan should be prepared by the representatives of State Welfare Organization and discussed in the next meeting of the Committee. (Seventh meeting, 18 October 2008)

It was decided to hold the training Course by 20 March.

It was stipulated that the questionnaires should be distributed and filled out by 21 May 2008.

It was stipulated that the provincial Department of Education should announce child abuse cases to State Welfare Organization for intervention of the social workers.

It was stipulated that Children with or without guardians who are sent to Juvenile Correction and Rehabilitation Center by judicial authorities should be referred to State Welfare Organization to receive consultation and social work services.

It was stipulated that State Welfare Organization should refer the clients to the provincial Technical and Vocational Training Organization (Eighth meeting, 2 May 2008)

It was stipulated that State Welfare Organization and Department of Education should arrange filling out the questionnaires by 20 June 2008.

It was decided to hold a meeting between social workers of State Welfare Organization and Juvenile Correction and Rehabilitation Center by 5 July 2008 to discuss the special cases.

It was decided to invite the head of the Technical and Vocational Training Organization of the province to the next meeting of the executive committee.

It was decided to hold a meeting between State Welfare Organization and State Prisons, Security and Corrective Measures Department to tackle problems of clients released from Juvenile Correction and Rehabilitation Center. (Ninth executive meeting, 9 June 2009)

It was stipulated that the Department of Education and State Welfare Organization should report on educational status of teachers and trainers of the province on the issue of child abuse and filling out the questionnaires to the committee by 19 February.

It was stipulated that social work meetings in Juvenile Correction and Rehabilitation Center that are attended by social workers of State Welfare Organization should be held more than one session per week. (Tenth meeting, 11 January 2010)

It was decided to resume the dispatch of the social workers to Juvenile Correction and Rehabilitation Center as of 23 July 2010 after the delay caused by State Welfare Organization.

In line with organizing the affairs of the Street Children, it was decided to invite active state organizations and departments such as Governor General's Office, Imam Khomeini Relief Foundation, Municipality, Social Affairs Department and NGOs to the next meeting. (Eleventh meeting of the committee, 14 July 2010)

Annex X

Information on Prisoners under the Age of 18 – From 2005 until the First Half of 2010 in Terms of Year, Province and Judicial status

	2005		2006		2007		2008		2009		2010	
Province	Accused	Convicted	Accused	Convicted	Accused	Convicted	Accused	Convicted	Accused	Convicted	Accused	Convicted
East Azerbaijan	444	92	445	60	390	26	389	42	252	28	128	13
West Azerbaijan	767	207	673	300	581	148	448	109	211	66	203	25
Isfahan	880	310	895	337	585	133	632	93	425	52	261	45
Ilam	127	15	195	23	152	14	138	8	10	1	11	6
Bushehr	320	61	255	48	186	23	183	23	178	13	99	7
Tehran	2,126	994	2,195	1,233	2,275	562	1,838	460	1,394	621	201	827
Razavi Khorasan	1,639	1,403	1,369	1,505	1,634	789	1,548	690	1,297	540	765	253
Khuzestan	1,339	451	1,136	370	992	114	718	148	434	48	330	30
Chaharmahal and Bakhtiari	153	13	126	9	96	8	109	9	44	4	54	6
Zanjan	140	26	159	30	131	19	133	40	102	56	37	41
Semnan	148	85	146	62	138	26	110	16	11	9	43	9
Sistan and Baluchestan	440	292	673	788	605	142	443	98	243	43	194	17
Fars	1,312	347	1,191	402	1,029	177	933	142	278	26	319	35
Kurdistan	295	72	248	150	226	68	194	35	139	14	119	18
Kerman	457	182	470	186	397	54	424	43	311	48	158	18
Kermanshah	421	159	341	130	249	33	198	60	163	24	43	5
Kohgiluyeh and Boyer-Ahmad	287	50	365	53	314	35	233	74	253	36	132	21
Gilan	555	162	568	175	371	77	244	53	198	41	139	21
Lorestan	424	119	361	151	345	53	255	19	61	6	70	7
Mazandaran	730	189	593	240	484	127	481	107	168	28	172	34
Markazi	335	70	286	95	241	44	151	48	142	48	60	61
Hormozgan	133	152	138	162	123	58	108	38	89	28	95	8
Hamedan	310	116	260	106	279	49	155	32	7	1	102	11
Yazd	276	99	212	121	167	10	107	23	76	20	99	9
Ardabil	197	34	175	41	158	21	123	17	21	2	64	6
Qom	310	96	378	141	382	54	405	67	333	65	165	26
Qazvin	331	118	394	128	276	46	218	34	167	25	76	7
Golestan	576	163	610	233	573	137	337	84	6	3	144	25
North Khorasan	204	69	145	54	87	31	77	27	53	33	42	26
South Khorasan	183	111	165	146	133	40	115	46	112	26	71	22

Annex XI

The Directive of 2004 for Implementation of Notes 1 and 2 to the Act of 2001 ratifying the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

Article 1

The followings are the works that are harmful for the persons under the age of 18 years:

1. Working in mines, either under the group or on the ground, and working in tunnels, corridors or bars of mines;

2. Working in covered tanks;

3. Working in tanning and intestine cleaning workshops;

4. Working in sewage waters, rivers, collecting, transporting and burring civil wastes and garbage;

5. Poisoning gardens, trees and farms, and disinfecting places, stalls and chicken nests;

6. Diving;

7. Work at heights over 5 meters on rigs, moving chambers, scaffolds and skeletons;

8. Working in noisy places (more than permitted levels);

9. Working on electricity lines and posts of 63 KW and higher voltage electricity transfer;

10. Sanding, manually extending of asphalt, bitumen works;

11. Working with high vibrating tools more than permitted levels;

12. Drilling of wells, wastewaters and underground tunnels;

13. Different works continuation of which may cause various diseases resulted from rays, including working with radioactivity material and being exposed to ion-making rays;

14. Construction works;

15. Driving and working with light and heavy vehicles, as well as road and agricultural machines;

16. Molding, glass blowing, transportation of melted materials from occupied ovens and working near to Chinese and ceramic ovens;

17. Working in jetties, power stations, refineries, petrochemical sites and other Oil and Gas units;

18. Working in carpet weaving workshops, textile industries;

19. Working in Asbestos products producing factories, cement factories and cement products factories;

20. Working in jungle, working as jungle guards and transportation of trees;

21. Working in industrial animal husbandry centers and slaughterhouses;

22. Working with explosive and fire materials;

23. Working in asphalt factories, stone breaking, road making factories;

24. Coloring and treatment of water tanks;

25. Working in centers for washing the dead and burring them;

26. To work as a sailor and in ship motor rooms or ship factories;

27. Working in metal tempering industries;

28. Working with dangerous sets, such as carpentering machinery or injection, shocking and hydraulic pressures and something like that;

29. Working in brick factories;

30. Working with fiberglass and replacing and warehousing the products;

31. Insulation, installation and producing insulating materials;

32. Blacksmithing, welding, stone working and painting;

33. Sheet working and cutting metals and construction stones;

34. Working in hospitals and treatment centers, House of Elders and radiology centers and laboratories;

35. Working at bakeries;

36. Working in workshops and factories involved with producing, packing, formulating and warehousing chemicals and poisons.

Note: The works subject of paragraphs (18) and (20) of this Article are excluded from application of the Article if they are done to help the parents, they are in compliance with child's abilities and done in traditional and family workshops.

Article 2

Anybody who employs the children for the works mentioned in Article (1) of this by-law, is subject to the punishments contained in Article (172) of the Labor Act, approved in 1990 by State Expediency Council. Therefore, when the crime is proved by the competent authorities, the Ministry of Labor and Social Affairs is obliged to introduce the violator or violators, as the case may be, to the Ministries of Industries & Mines, Ministry of Agriculture Jihad, Ministry of Health, Treatment and Medical Education, and Guild Affairs Association with regard to the rules and regulations of guild system and other resources who issue the permit for operation and business. The mentioned authorities are obliged to cancel the license of the violator or violators observing the below-mentioned:

1. For the first time, for a 3-months period;

2. For the second time, for a 6-months period;

3. In case of repetition, for 1-year period.